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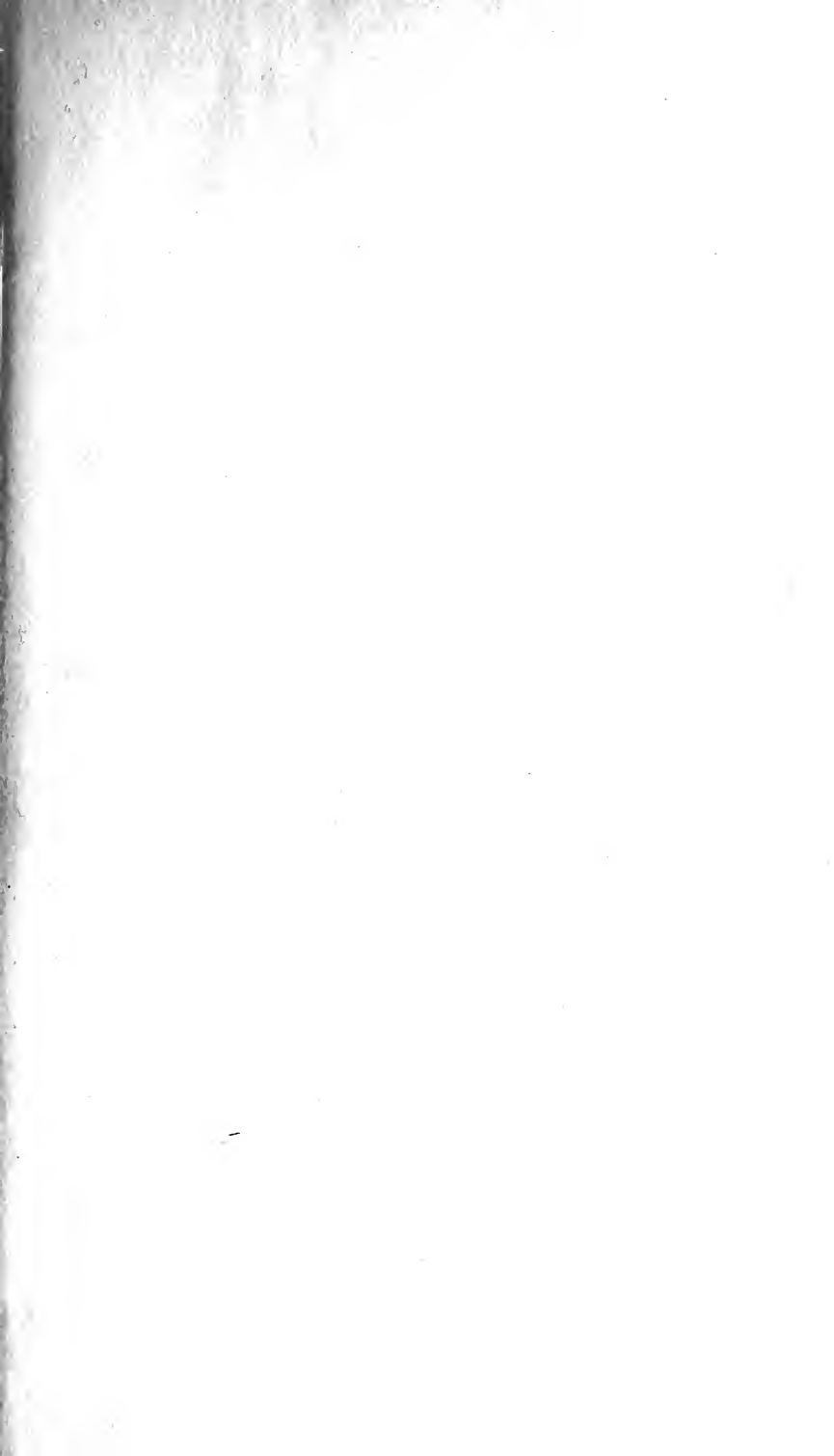
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THE

# HISTORY

OF THE

## HELVETIC CONFEDERACY.

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BY JOSEPH PLANTA, ESQ. F.R.S.

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Helvetii bellica gens, olim armis virisque, mox memoria nominis  
clara. TACIT.

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THE SECOND EDITION.

VOL. I.

187578  
20/2/24

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LONDON:

PRINTED FOR JOHN STOCKDALE, PICCADILLY.

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1807.

THE  
HISTORICAL  
AND  
STATISTICAL  
DEPARTMENT

BY  
J. H. COLEMAN  
M. A.  
OF THE  
HISTORICAL  
DEPARTMENT  
OF THE  
HISTORICAL  
AND  
STATISTICAL  
DEPARTMENT  
OF THE  
HISTORICAL  
AND  
STATISTICAL  
DEPARTMENT

T. GILLET, PRINTER,  
Wild Court, Lincoln's Inn Fields.

TO THE  
K I N G.

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SIR,

THE gracious permission to inscribe the following pages to Your MAJESTY, is an honour which I am bound to acknowledge with the greatest respect and gratitude.

They contain the HISTORY of a CONFEDERACY, which, through many arduous struggles, long maintained its independence, and for several centuries preserved, to an

artless people, a degree of civil liberty, which effectually insured their national honour and prosperity. While every friend to virtue and humanity must lament that so happy a polity should at length have yielded to the overwhelming power of a remorseless foe, aided by the folly and corruption of a comparatively small number of its own degenerate members; its example cannot but afford useful lessons of caution to future generations, and must teach them the necessity of energy and concord towards the support of a well regulated government. The utility which, even at this period, may result

sult from a due contemplation of the events here commemorated, has induced me to relate them: and I feel the most lively satisfaction in being suffered to lay this narrative at the feet of a MONARCH, who, ruling over a free people, has exhibited the brightest example of firmness and vigour, in resisting the torrent of vice and anarchy, which has of late threatened the subversion of civilized society.

That Your MAJESTY may long live to pursue Your wise and benevolent purpose of maintaining the safety and happiness of these kingdoms, and that Your subjects may be ever

sensible of their obligations for the protection and comforts they enjoy under Your government, is the sincere and ardent wish of,

SIR,

YOUR MAJESTY'S

Most dutiful Subject,

And devoted humble Servant,

J. PLANTA.

## PREFACE.

---

**T**HE late calamitous events, which have deprived the **HELVETIC NATIONS** of their independence, and excited the commiseration of all Europe, have, more forcibly than ever, pointed out the want of a History, from which the generality of English readers might derive an adequate knowledge of the distinguishing features in the character of that people, and of the many laudable exertions to which they

they have for centuries owed their freedom, and an unsullied reputation for dauntless intrepidity and unaffected virtue. Had such a work been extant in any language that is generally read in this country, the present Volumes would not have been obtruded upon the Public.

STANYAN'S Account of Switzerland, besides being rather a political and topographical description, than a history of the country, was not, even at the time when it first made its appearance, deemed altogether accurate, especially where it treated of the government of Berne,

<sup>1</sup> Published in the year 1714, in 8vo.

to which the author, joining in the cry of the peevish and disaffected, ascribed a tyrannical tendency which the long period of prosperity enjoyed by the bulk of the people has manifestly disproved. Various changes, which took place soon after his residence in that country, have moreover contributed to render his work of still less utility to the reader who seeks for authentic information.<sup>2</sup>

The History of the Helvetic Confederacy by WATTEVILLE,<sup>3</sup> is cer-

<sup>2</sup> V. Haller's *Bibl. der Schweizer Gesch.* vol. i. p. 144.

<sup>3</sup> *Histoire de la Confédération Helvétique.* The third and last edition is of the year 1768, two volumes 8vo.: both volumes together form no more than five hundred and three pages.

tainly

tainly a work of considerable merit ; and notwithstanding its brevity, and the dry chronological order in which it is written, has long afforded to foreign readers the best information they could obtain concerning the events which characterize the people of the Alps. But, besides the imperfections already adverted to, the previous knowledge it requires of the transactions which the author rather alludes to than describes, and the want of a continuation from the year 1603, where he abruptly breaks off, still renders a more ample work on the subject a material desideratum, even to those who read every language, except the German.

Of

Of the voluminous history of ALT DE TIEFENTHAL,<sup>4</sup> and the Epitome of PLANTIN,<sup>5</sup> little need be said, but that most of those who have attempted to peruse them, have found it impracticable to proceed beyond a few pages: and of SIMLER'S less exceptionable work, even Fuesslin's Latin edition,<sup>6</sup> will give but little satisfaction to the readers of our days, the historical part being pro-

<sup>4</sup> *Histoire des Helvétiques*. Friburg 1750—1753; ten volumes 8vo.

<sup>5</sup> *Abrégé de l'Histoire Générale de Suisse*. Geneva, 1666, 8vo.

<sup>6</sup> *De Republica Helvetiorum, libri duo*. Tiguri, 1734, 8vo. A German improved edition, published by Leu, Zurich, 1735, 4to. is a truly valuable work, which Haller considers as the *jus publicum Helvetiæ*, and of which proper use has accordingly been made in the present narrative.

perly an abridgement sufficiently accurate, but embracing a very short period, and by no means calculated to gratify even a common share of curiosity.\*

This manifest want of a popular, and at the same time a sufficiently copious and accurate work on so interesting a subject, first induced me to avail myself of the opportunities I had of procuring from the continent the best German publications relating to that country: it being in fact to the German writers that recourse must be had for the

\* V. Haller's Bibl. vol. iv. p. 262, 231, 205.

materials requisite to supply this deficiency in English literature. Having collected such documents as I was well assured had received the sanction of the most competent judges, and given them a cursory perusal, I soon conceived the admiration which cannot be withheld from the many striking incidents, that grace the annals of that people. I therefore readily yielded to the temptation of dedicating my leisure hours to a compilation of this nature: and I shall think myself amply rewarded for my labour, should it be found to answer the purpose for which it was intended.

I should

I should however, I must confess, hardly have ventured on the undertaking, had I not been in possession of MULLER's masterly performance on the history of the Helvetic Confederacy;<sup>s</sup> a work of which, as it had previously received the greatest commendation from the most able as well as severe critics, I once had thoughts of giving a complete translation. In this task however, I had not proceeded far before I perceived that the author had, in fact, written chiefly for his countrymen; and that many details, abundantly interesting to the descendants of the il-

<sup>s</sup> *Die Geschichte Schweizerischer Eidgenossenschaft.* Leipz. 1786, 88, and 95; three volumes 8vo.

lustrious personages who grace their history, would not be equally relished by readers of distant countries. Foreigners cannot certainly be impressed with the same affections as the natives ; nor can they have their imaginations warmed to the same pitch of enthusiasm, which grasps at every incident that may gratify national pride, and the emulation of private families. Adopting that work therefore as an unerring guide, I resolved to pursue a course more suitable to the object for which I destined my labours ; and to select from it all the leading facts, and most striking observations, which may serve to convey a just and adequate

quate idea of the character and outlines of the history ; guarding at the same time against too great a proximity and minuteness, which, by deterring the fastidious reader, might defeat the purpose of the publication.

The author of this valuable history is a native of Shaffhausen, where, in the year 1772, being then only twenty years of age, he was appointed Greek professor. Conscious of powers however, which fitted him for higher exertions, he accepted various civil as well as literary employments at Cassel and Mentz, and is at present entrusted  
with

with one of the principal offices in the department of foreign affairs at Vienna. With a fund of general historical knowledge, of which few men can boast, he has carefully perused every document, both printed and in manuscript, relating to the transactions of his country ; and explored every repository of title-deeds, in which he could expect to find any materials tending to elucidate those transactions. He has repeatedly visited every spot illustrated by any memorable event, and the many monuments which till lately recorded the glory of the nation. He is in possession of the honourable appellation of the Helvetic

vetic Tacitus; and like that sublime historian is charged with a brevity in his style, which sometimes borders upon obscurity: his thoughts often seem to bound beyond the sphere of language. These particulars are here brought forward, less to extend the fame of so eminent a writer (which is too well established to need my eulogium), than to justify the confidence I have placed in him for the work I have attempted.\*

\* His history absolutely supersedes the use of the *Chronicon Helveticum*, written in German by ÆGIDIUS TSCHUDI, and published at Basle, 1734, in two volumes folio: a work which, although in Haller's opinion it has scarce a superior in any language for candour, accuracy, and perspicuity, falls far short of the spirit that pervades every page of Muller.

Unfortunately

Unfortunately for my purpose, this distinguished author has of late been too deeply immersed in diplomatic concerns of the first magnitude, to continue his history lower down than the year 1443 : ‘ Nor  
‘ can I,’ he says in a private letter,  
‘ at the present crisis direct my  
‘ thoughts, without the most poignant  
‘ grief, towards a subject  
‘ which must incessantly remind me  
‘ of the subversion of the happiness,  
‘ the freedom, and the glory of my  
‘ country : and yet I do not despair,’ he adds, ‘ to be allowed at  
‘ some future period to reflect once  
‘ more with exultation on that country ; and to recollect with heart-  
VOL. I. B felt

‘ felt satisfaction, the venerable  
‘ names, and darling spots, which,  
‘ during the best part of my life,  
‘ have been the dearest objects of  
‘ my contemplation.’ Thus de-  
prived of further assistance from an  
author in whom I could place im-  
plicit confidence, I had recourse to  
a variety of other publications of ac-  
knowledged merit ; trusting that by  
carefully comparing and combining  
their different statements, I should  
still be able to supply a narrative  
which, in point of accuracy, might  
stand the test of scrutiny, and con-  
tain all the information that could  
be expected in a composition of  
this nature.

None, in this respect, have been of greater utility, than LAUFFER'S extensive work,<sup>10</sup> the author of which, being professor of history at Berne, undertook the task by order of that government, who, for this purpose, gave him free access to the public archives, and promoted the design by all means in their power. The history is by him brought down to the year 1657. The author, emulating the manner of the ancients, affected to reject all notes and quotations. In the earlier period he has been found deficient in accuracy; but in the middle ages,

<sup>10</sup> *Genaue und umstandliche beschreibung Helvetischer Geschichte.* Zurich, 1736, seq. eighteen volumes 8vo, besides several supplemental volumes.

fortunately for the object I had in view, he is allowed to be sufficiently correct. His style is prolix, often turgid, and by no means alluring: and the narrative is continually loaded with minutiae, which afford ample opportunities for selection and abridgment.

Both to corroborate the evidence of Lauffer, and to continue the history to a later period, recourse has been had to the valuable publication of LEONARD MEISTER,<sup>11</sup> a learned professor at Zurich, in which, after slightly surveying the principal

<sup>11</sup> *Hauptszenen der Helvetischen Geschichte.* Zurich, 1784, two volumes 12mo.

events of the early period of the Helvetic history, he enters more at large into the occurrences of the middle ages, especially those since the Reformation, and has in fact supplied the principal materials since the important epoch of the treaty of Westphalia. This author writes with spirit, taste, and judgment: and although he likewise omits to authenticate his facts by occasional references; and a marked partiality in favour of his city, chiefly to the detriment of the catholic cantons, be occasionally observable in his statements; yet the work has acquired a sufficient degree of reputation to be admitted

as a voucher in a performance for which the writer is particularly solicitous to obtain the character of veracity. His narrative extends to the year 1768.

Many important materials, especially respecting the constitution of the confederate states, have been derived from MEINER'S Letters upon Swisserland.<sup>12</sup> This entertaining and instructive work contains, within reasonable limits, so circumstantial and impartial a detail of the state of Swisserland, previous to the

<sup>12</sup> *Briefe über die Schweiz*. Berlin, 1788, four volumes 8vo. The author is professor in the university of Gottingen.

late revolution, that I have been at little pains to collect materials on this subject from other quarters. The author, a man distinguished for his learning, penetration, and judgment, delivers nothing but what occurred to his own immediate observation, during a journey he made through the cantons in the year 1782. He corrects the mistakes of Stanyan, and of Schlözer, a censor still more severe of the government of Berne ; but at the same time with great candour and freedom, points out the defects which no doubt adhered to that, and to some other constitutions in Switzerland.

Much

Much accurate information concerning these constitutions is contained in COXE's Account of his Travels in Swisserland; a book which has acquired great authority by the decided approbation of all who are competent to form a just opinion on the subject; but which, being in the hands of all who read, cannot be transcribed without some injury to the author, and an unfair obtrusion upon the public. Though the statement here delivered be derived from different sources, particularly from the elaborate performance of professor Durand of Lausanne,<sup>13</sup> it will yet be found not to

<sup>13</sup> *Statistique Elémentaire, ou Essai sur l'Etat Géographique, Physique, et Politique de la Suisse.* Lausanne, 1795, four volumes 8vo.

differ materially from what is contained in that valuable work ; and, what is there necessarily dispersed in three volumes, will here be found condensed into one chapter of a moderate extent. Having named Mr. Coxe, I must not forego this opportunity of making a public acknowledgment of the liberality with which he has indulged me in the use of various materials for which I had occasion, in his copious library.

Although the books above described contain far more than could be condensed into these volumes, yet unwilling to let any assertion rest upon a single evidence, when others  
of

of equal authority could be obtained, I have spared no pains in consulting all other writers of established reputation that came within my reach : and among them I have been particularly benefited by the ponderous Lexicon of LEU ;<sup>14</sup> a work in which topographical, political, and ecclesiastical matters are treated with great precision and fidelity, but which has justly been censured for redundancy and a tedious prolixity of style, as also for various inaccuracies in the genealogical parts ; the author having called on

<sup>14</sup> *Allgemeines, Helvetisches, Eydgenossisches, oder Schweizerisches Lexicon*. Zurich, 1747—1795; twenty-six volumes 4to.

the different families for information concerning their descents, which some supplied with sufficient accuracy, others with puerile ostentation, and several, contemning the distinctions of hereditary pre-eminence, peremptorily refused to impart. But with all its imperfections, whoever means to make himself thoroughly acquainted with the country and nations of the Alps, will find great advantage in recurring to this work.

Neither should the inquisitive reader be without another work of a similar nature, which, though of a much smaller bulk, will yet be found

found of no less value and utility ; I mean the Dictionary originally compiled in French from the great Encyclopædia of Yverdon, containing all the articles relating to Switzerland, which had been chiefly supplied by TSCHARNER, and G. E. HALLER, and which has since been greatly improved by the learned professor Wytttenbach, of Berne, and other competent writers.<sup>15</sup>

I have long hesitated whether I should venture an account of the late revolution, which has in a few

<sup>15</sup> *Dictionnaire Historique, Politique, et Géographique de la Suisse*. Nouvelle édition. Geneva, 1788 ; three volumes 8vo.

days demolished the work of many centuries. No one can be better apprised than I am, of the difficulty and hazard that must attend an undertaking which, to many, I know, will appear premature : and yet, whence is history to acquire its authenticity but from the evidence of those who have themselves witnessed the events? May it not be possible for an historian, especially in these times, when all manner of intelligence is propagated with scarcely any restraint, to select, from a variety of authorities, those facts which it either is not the interest of individuals to disguise, or which they often inadvertently suffer to transpire,

transpire, though unfavourable to their cause? By comparing and combining a variety of such statements, may he not frequently compel the narrators to reveal truths, which perhaps they were desirous to withhold? Is it wholly impossible for a contemporary to divest himself of partial prejudice; and, should this be practicable, may he not, with the opportunities of investigation that still remain, be better able to unravel truth, than one who, after the lapse of centuries, must depend solely on written evidence, and surely cannot receive such lively impressions as he who follows the progress of the events

as

as they arise? And should such a one misrepresent a fact or circumstance, it is surely an advantage that those should be still living who can rectify the error, and prevent its descending to posterity. Relying on that candour and fairness in the public, of which I hope to prove myself not destitute, I have at length resolved to avail myself of the abundance of genuine materials in my possession, to lay before the reader a narrative of this eventful and tragical period. Agreeably to the mode of investigation I have adopted, I have laid great stress upon the accounts given by the French themselves, in the journals published

published with the sanction of their directory: numbers of pamphlets and periodical works have been carefully perused; and were I allowed, I should here thankfully acknowledge the communication of many written documents, which have served to throw much light upon the incidents of which I endeavour to give a faithful representation. But no publication has been of greater use to me than POSSELT'S European Annals, which, though the author has not always concealed his bias in favour of the revolutionists, is yet allowed by all parties to state the facts with much fairness and precision. MEISTER, the professor  
of

of Zurich already mentioned, has likewise given an ample narrative of the events which mark this disastrous period ; but, writing under the eye of a French general and his satellites, we must not impute to him as a defect that he justifies the measures which have brought on the ruin of his country. In the progress of my narrative I have not spared the Swiss governments, which, it is generally thought, have of late incurred some blame ;<sup>16</sup> and

<sup>16</sup> Muller, who has been consulted on this problematic subject, writes as follows : ‘ The greatest blame that can be laid to the charge of the Swiss governments is, that they could not persuade themselves that the villany of the revolutionary leaders had no bounds whatever ; and that they persisted in an opinion that the present times were not altogether different from those of the fifteenth century. The senate of Venice might in this respect be equally taxed with unpardonable imbecility. This confidence made the Swiss neglect the means of defence they had in their power, which, considering the great disproportion of forces, would no doubt, after

on the other hand, if the atrocious crimes we have lately witnessed in the oppressors of this country have occasionally extorted from me a reproachful epithet, I trust none who read these pages will be so lukewarm in the cause of humanity and virtue as to deem this an unpardonable transgression. The historian,

‘ after the peace of Campo Formio, have been insufficient ; but which might for a time have deterred their base oppressors, and perhaps have retarded the blow, until new events might have brought about the deliverance of Europe. As to any other blemishes, I positively maintain that there is no government on earth to which so few can be justly imputed ; and that no part of the Helvetic history has ever exhibited so general and determined a purpose to reform every abuse, and to provide effectually for the welfare of the people. There certainly never was a more beneficent government than that of Berne, nor ever a greater state of prosperity than that which prevailed throughout Switzerland, previous to the late calamities. Should heaven restore to my country a government so *faulty* as that which the apostles of anarchy have of late wantonly subverted, I have no doubt but Switzerland will once more become the envy and admiration of the human species.’

who

who speaks with indignation of the cruelty of Nero, the perfidy of Lewis the Eleventh, and the hypocrisy of Cromwell, must not surely, on that account, be taxed with undue partiality.

Such have been the principal documents from which the materials of this history have been collected. Many others, both published and in manuscript, have been consulted, which will be occasionally quoted in the progress of the narration, wherever it may be necessary to corroborate the evidence of particular occurrences. Having thus named the principal authors from whom my materials have been borrowed, I hope I shall not be cen-

sured for having omitted to load my pages with particular references to their works. No one is better persuaded than I am of the propriety of attesting the facts related in a history, by such evidence as cautious readers are likely to admit; but I trust that the want of quotation (a defect I have just now reproved in others) will not be deemed an imperfection in this narrative, since, either by the chronological or alphabetical order, the sources from whence I have derived my facts may easily be recurred to; and thus a series of references may be avoided, which, when needless, cannot but be considered as a vain ostentation of erudition.

The state of Europe at the time  
when

when this work was preparing for the press,<sup>17</sup> was such as might well authorize a persuasion that the Confederacy, whose history I had determined to delineate, was actually extinguished, and that the period of its existence was for ever closed. Under such an impression, I no doubt suffered a gloom to pervade my narrative, which to some appeared unfounded. Subsequent events, however, seem fully to justify the apprehension that, whatever degree of independence they may yet recover, the Swiss will never be restored to the Confederacy which has been their boast, and the source of their felicity, for centuries.

<sup>17</sup> In the year 1798, and the beginning of 1799.

Men of much experience and discernment, who are thoroughly acquainted with the circumstances and wants of this people, even doubt whether in the present, and probable future, state of society, that Confederacy ought, in fact, to be revived. One of the wishes nearest to my heart is, that I may be wholly mistaken in my sinister prognostic.

The limits prescribed to this work not admitting of an excursion into the literary concerns of the Swiss nation, against whom the imputation of dulness and want of genius has been repeatedly brought forward, I trust the following short digression on the subject will not

be thought an intrusion; my object being, not to extol the nation beyond its desert, but to indicate the degree of merit which it actually possesses, and which is capable of being established by incontrovertible evidence. Among the numerous instances of such charges of intellectual deficiency, which are incessantly to be met with, especially among the French writers, I have been somewhat surprised to find a passage in an English work of considerable reputation, which the author, if ever he reconsiders the subject, will, I am confident, not be unwilling to retract; and whom, for this reason, I forbear to mention.

‘ Mountainous countries,’ says  
the

the hasty critic, ‘ which have  
‘ mostly been inhabited by a robust  
‘ and courageous race of men, of tall  
‘ stature and healthy complexion,  
‘ do not appear to be so favourable  
‘ to the intellectual as to the cor-  
‘ poreal excellence of the human  
‘ species. From Bœotia to Biscay  
‘ the feats of mental exertion have  
‘ at all times been scarce along the  
‘ Alpine and Pyrenean ridge of hills.  
‘ The noted seats of culture must  
‘ every where be sought at the  
‘ river’s mouth, not at its source ;  
‘ on the flat shore, not on the cloud-  
‘ capt rock. . . . . The His-  
‘ tory of Switzerland forms no de-  
‘ cisive exception to this general  
‘ law. Her warriors and patriots  
‘ are

‘ are rarely of a class which excites  
‘ much interest: they are Abderites,  
‘ not Athenians. The higher order  
‘ of faculties never appear at work.’

National reflections like these, when generalized in the manner we see in the preceding passage, are ever injurious, and will seldom stand the test of candid investigation. Our Caledonian fellow subjects surely do not, and indeed ought not to acquiesce in this degrading verdict; and the Alpine mountaineers, upon enquiry, will be found inferior to no nation in the natural endowments and superior acquirements which mark pre-eminence of genius.

Enough will be found in the following

lowing pages to convince the unprejudiced reader, that during the dark ages of ignorance and barbarity, no where has the glimmering of intellectual light been less obscured than in the remote valleys of Switzerland; and that no nation has yielded so little to the gross superstition which at one period had, in most other parts, almost obliterated the mental faculties of man. Hence we find, that when the torch of reason began to blaze at the time of the Reformation, no country was so early as that in vindicating the cause of truth, and reviving the cultivation of solid learning,

Without detaining the reader with a catalogue of the distinguished  
ed

ed writers who have graced the literary annals of Switzerland during the middle and later ages, I shall briefly indicate the names of the most eminent luminaries who have, in our century, done honour to their country ; most of whom are sufficiently known to preclude the necessity of my descanting on their several merits. Who in fact has not heard of the profound mathematicians, the Eulers, the Bernouillis, and Lambert ? who that has at all attended to German literature (and German literature is now well worth attending to) but knows how to prize the merits of the venerable Bodmer, the restorer of pure taste in our days ; the universal and pervading

vading genius of Haller; the profound and no less elegant Iselin, Sulzer, and Zimmerman; the pathetic bard who sung the death of Abel; and the sublime imagery of the epic poem on the Alps. As philosophers, most of the names already mentioned will rank high in the list of their fellow labourers; nor surely will those of Bonnet, Saussure, and John Gesner, be omitted. As an historian, I must once more mention the name of Muller. As painters, the terrific Fuesslin, and the more correct and elegant Angelica Kauffman, have at least equal claims to reputation with any of their contemporaries: and as a sculptor, Hedlinger had no rival.

I shall

I shall close this slight sketch with the memorable facts, that of the eight members of the French Academy of Sciences, who were selected among the men of the highest reputation in the republic of letters, three were, at two different periods, natives of *Swisserland*:<sup>18</sup> and that not long ago, among the twenty-three members of the academy of Berlin, into which admission was obtained, not by intrigue or courtly favour, but by the keen discernment of the great Frederick, eight were

<sup>18</sup> L. Euler, D. Bernouilli, and Haller. They were succeeded by A. Euler, J. Bernouilli, and Bonnet. Voltaire, who was ever ready to throw out his sarcasms against this modest and unaffected people, frequently declaring 'that he knew no animal so like man as a 'Swiss,' was struck dumb when he was reminded of this circumstance.

of the same nation.<sup>19</sup> Much more might be added in support of the literary fame of this plain and unassuming people; but this I trust will be sufficient to vindicate them from the rash imputation of national imbecility. It will now be incumbent on the shrewd observer who has called forth this animadversion, to justify his remark by producing a proportionate number of names of equal eminence that have, within the same period, adorned the mouths of the Rhine or Danube.

<sup>19</sup> L. Euler, D. Bernouilli, Merian, Cat, Lambert, Begelin, Sulzer, and Wegelin. To each of these lists might be added the celebrated name of La Grange, who, though born at Turin, is of a family of Savoy; and ought hence manifestly to be classed among the Alpine Abderites.

It may be deemed an extravagant, and perhaps a vain enterprise, to attempt a vindication of the Swiss from the charge of venality, which, having been incessantly repeated, is become in a manner proverbial;<sup>20</sup> and yet I am confi-

<sup>20</sup> To the many popular sayings, equally unfair and contumelious, Voltaire has added the following couplet, which, however injurious, will never perhaps be wholly obliterated :

*‘ Barbares, dont la guerre est l’unique métier :*

*‘ Et qui vendent leur sang à qui le veut payer.’*

Abbé Raynal is a writer of too little authority to merit any comment upon his gratuitous assertion, ‘ that the ‘ Helvetic nations subsisted solely upon the hire of their ‘ mercenary troops.’ And as to Muratori, who never names the Swiss without an insulting epithet, he has been amply refuted by a late anonymous but ingenious writer, in a tract entitled, *Risposta a varie imputazioni che si danno dagli scrittori, e specialmente dal Muratori, agli Svizzeri*. Palermo, 1788, 8vo. The letter of Richard Pace to Card. Wolsey, printed in the appendix to our second volume, in which the Swiss are gratuitously taxed with extreme venality, carries its own antidote; they plainly declaring to the English agent that the POPE and all the other CHRISTIAN princes had so deceived them, that almost they could no longer believe any man.

dent that every friend of truth, who will be at the pains to investigate the facts on which this disgraceful imputation rests, will soon convince himself that it applies not more to this than it does to various other nations, whose reputation is unsullied in this respect. What regular troops, in fact, serve, or indeed can serve, without pay? and in what other line of employment are services expected without adequate remuneration? Has not the most venerable of all professions sanctioned the maxim, ‘that he who serves the altar must live by the altar?’ And as to entering into foreign services, the ten thousand Greeks who, under Xenophon, fought in the cause  
of

of a foreign traitor ; and the Scots and Irish, who, having no opportunity to serve at home, engaged in the armies even of the natural enemy of their country, are surely no less deserving of the epithet of mercenary, than the Swiss, who, while they accepted the importunate offers of friendly powers, always reserved themselves for the service of their country, whenever dangers called for them. It may be proved to a demonstration that Switzerland, as a state, has always been a great sufferer by its foreign military services, which accordingly the magistrates have long endeavoured to suppress ; but finding it impracticable, have been at length driven to the

necessity of regulating those services by equitable capitulations.<sup>21</sup>

To this may be added, in answer to the charge of fickleness, which has been liberally added to that of venality, that the most rancorous calumny will hardly find an instance in which the Swiss troops have spontaneously, and without provocation, forsaken the cause in which they had engaged; and that in every instance, when they suspended their services, the breach of faith was always to be laid to the charge of the ally, who first infringed the terms of their capitulations. No temptation ever allured them to

<sup>21</sup> The appropriate name of the engagements of the Swiss regiments in foreign services.

change sides in the hour of danger : and of the multitude of instances of their devotedness to the sovereign in whose armies they took the field, none is more memorable than the austere fidelity they displayed at the bloody battle of Malplaquet, where two Swiss regiments, both of the name of May, the one in the French, and the other in the Dutch service, having, contrary to the terms of their capitulations, been drawn out against each other, were so perfectly regardless of every consideration except their military duty, and fought with such obstinate intrepidity, that near two-thirds of the former fell in the conflict ; and a still smaller proportion of

the latter returned from the field of battle.

I ought perhaps here, in compliance with custom, to deprecate the severity of criticism, and apologize for the imperfections that will be met with in the progress of this work. If I do not dwell largely upon this topic, it certainly is not that I think the performance free from blemish; but because I am well aware that apologies neither render the faults less disgusting, nor often obtain the pardon that is solicited. Having long experienced in a more contracted, though not an obscure line, the candour of the public in favour of one who earnestly endeavours to merit their approbation,

probation, I feel a degree of confidence that the same indulgence may be extended to this performance ; in which every consideration of style has been sacrificed to precision and perspicuity ; and which claims no merit but that of imparting a simple narrative, in a manner adapted to the character of the people of whom it means to convey a just idea.

*Non criticorum more in laude et censura tempus teratur,  
sed plane historicæ res ipsæ narrentur, judicium parcius  
interponatur.*

BACO.

BRITISH MUSEUM,  
Dec. 28th, 1799.

J. P.

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THE HISTORY  
OF THE  
HELVETIC CONFEDERACY.

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BOOK I.

ESTABLISHMENT OF THE CONFEDERACY.

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CHAP. I.

*Origin of the Helvetic Nations.*

THE Confederacy of the Helvetic nations CHAP.  
I.  
presents an object of contemplation which, while it must command the esteem and reverence of all the wise and good, cannot fail to offer useful lessons to future generations. Bloodless in its origin, and peaceful in its effects, it has afforded a long period of tranquillity, security, and comfort to a people of simple manners; who, though by no means formidable in numbers, and inhabiting a rocky, and in most parts, a barren country, have yet long maintained themselves against the incessant efforts of all their powerful and rapacious neighbours. It has supported a constitution, which during five centuries

CHAP. centuries has been the admiration, if not the  
 I. envy, of the most civilized nations of Europe. A comprehensive view of its rise and establishment will be attempted in this first Book; and in a second, will be traced an outline of its progress through many arduous struggles, and a long period of prosperity, to its decline, and present suspension, if not final dissolution. We may now survey its history, like that of the ancient republics; as affording an example of a wise and prosperous polity which once graced the earth, but has at length yielded to the collision of destructive passions, and the lapse of time: but we shall in vain seek in the annals of former ages, or in the splendid, though dubious<sup>1</sup>, pages of the historians of Greece and Rome, an instance of a government which, while it dispensed so many blessings, has caused so few sorrows to its grateful people.

Face of the  
Country.

The mountains which, from time immemorial, have obtained the name of Alps,<sup>2</sup> form an

<sup>1</sup> Of the veracity of the most admired historians of antiquity, doubts have been entertained by writers of the greatest discernment and impartiality. V. Cic. de Leg. i. 1.; the *Gracia mendax in Historia*, of Juvenal; Stobæus Serm. lxii.; Hume's Essays, p. 105. edit. Edinb. 1752: whilst the most important part of the Swiss history is authenticated by unquestionable documents.

<sup>2</sup> Some etymologists have derived this word from *αλφ*, or *albus*; but it is more probably of Celtic origin; *al*, in that

enormous crescent which embraces the north of Italy. Their hoary summits tower far above the clouds,<sup>3</sup> and impend over clefts and caverns, whose unknown depths are perpetually buried under accumulated masses of ice and drifted snow. Viewed from the south, they present a stupendous, almost perpendicular, and to all appearance impenetrable barrier; whilst to the northward they subside gradually in successive chains of less elevated heights, which, winding in many irregular mazes, form a vast labyrinth, repeatedly intersected by lakes and torrents. The Alps of Uri and Underwalden, those on the southern frontiers of Berne, of the Valais, and the Grisons, compose the great cluster from the centre of which towers the lofty St. Gothard:<sup>4</sup> and hence they branch out in va-

that language, meaning high, and *pech*, or *pes*, a mountain. V. Bullet Dict. Celt. v. *Alpes*.

<sup>3</sup> According to Sir George Shuckburgh's geometrical measurement, the summit of Mont Blanc is 15,662 feet above the level of the Mediterranean. V. Phil. Trans. vol. lxvii. p. 592. Several peaks near St. Gothard are said to be still higher.

<sup>4</sup> Card. Bentivoglio, speaking of the road from Varese in the Milanese to Lucern, has this descriptive passage: "Tutto il resto fin qui è stato alpi, balze, dirupi, precipitii, una sopra un'altra montagna, e San Gotardo sopra di tutte, che porta le nevi in Cielo; e ch' a melora ha fatto vedere l'inverno di mezza state." Lett. II.

CHAP. <sup>L</sup>rious directions towards the lakes of Constance,  
 Zurich, Thun, Como, and the Lago Maggiore.  
 Hence also proceed, or are supplied, two of the  
 greatest, and several of the secondary rivers of  
 Europe. The three sources of the Rhine are  
 almost secreted from mortal eye in a remote and  
 desolate region on the eastern side of St. Go-  
 thard;<sup>5</sup> but their streams soon uniting, form a  
 navigable river, which, after traversing the lake  
 of Constance, descends over various precipices  
 towards the confines of France, and thence  
 winds its long and stately course to the German  
 ocean: few rivers have been so beneficial to  
 mankind; none perhaps have been so often  
 stained with human blood. The Inn rises not  
 far from the Rhine; and its waters, mixed with  
 those of the Danube, ultimately reach the dis-  
 tant Euxine. The Reuss and Aar issue near  
 each other; the one from the top of St. Gothard,  
 and the other from a contiguous mountain to  
 the westward. After long and devious courses,  
 in which the latter receives a stream from the  
 lakes of Neuchatel, Morat, and Bienne, they  
 meet in one channel, and, with the addition of  
 the Limmat from the lake of Zurich, contribute  
 largely to the increase of the already copious

<sup>5</sup> One of these sources is in a glacier called *Paradise*, no  
 doubt *per antithesin*, for a more dreary spot does not exist.  
 These streams are navigated by rafts before their junction.

Rhine. The Rhone breaks out very near the head of the Aar; and, after replenishing the lake of Geneva, proceeds in a rapid course to the gulf of Lyons. The source of the Tesino is close to that of the Reuss; and its waters, after having washed the shores of the Boromean Islands, fall, in conjunction with those of the Po, into the Adriatic.<sup>6</sup> Smaller rivers, lakes, brooks, and torrents, are almost innumerable. The Alps and the lake of Geneva to the south, Mount Jura to the west, and the Rhine to the north and east, are the natural boundaries of the country; which, on a surface of about fifteen thousand square miles, contains, in our days, not above one million nine hundred thousand inhabitants.

A people named Gauls, consisting of hunters and shepherds, came with their bows and arrows, and numerous flocks and herds, from the remote regions of the east, and overspread the continent of Europe, from its western extremities to the heaths and swamps of Batavia, and far towards the borders of the Rhine. The

<sup>6</sup> It is a curious geographical fact, that within the precinct of a very few miles, on the Julian Alps, in the Grisons, rise the Inn, which falls into the Black Sea; the Maira, which runs into the lake of Como, and thence into the Adriatic; and several streams which join the Rhine, and with it reach the German ocean.

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I.

The Hel-  
vetii.

Celts, one of these wandering hordes, for reasons unknown to us, forsook the fertile plains of Gaul, and the banks of the lower Rhine; and numerous swarms of them advanced along the Aar to the lake of Geneva, and into the lower vallies of the Alps. These were the ancient Helvetii,<sup>7</sup> who in four districts<sup>8</sup> cultivated the land with all the unskilfulness of first inventors, received some civilization, and learnt an alphabet from Greek adventurers who came among them from Marseilles; and no doubt occasionally increased the number of those Gaulish armies, which more than once struck terror into Rome. The Tigurini, the tribe most frequently named, when the Cimbri invaded Gaul, joined them under the conduct of Divico, a youth of great bravery and conduct: but their own country being attacked by a consular army, they returned, and obtained a signal victory

<sup>7</sup> Tacit. Germ. c. 28. This passage proves that the Helvetii derived their origin from the Gauls. Of the name, no satisfactory etymology has yet been met with.

<sup>8</sup> Omnis Civitas Helvetia in quatuor pagos divisa est. Cæs. de Bel. Gal. l. i. c. 10. The conjectural names of these four pagi are the Tigurinus, the Aventicus, the Urbigenus, and the Antuaticus. The German appellation of *Pagus*, is *Gau*; and many names of districts, in upper Germany, still have this termination; such as Argau, Thurgau, Sundgau, Brisgau, &c. They are often derived from the rivers that run through them.

near the lake of Geneva. L. Cassius, the consul, L. Piso, one of his lieutenants, and the flower of his army, were slain: L. Popilius, the other lieutenant, and the remainder of the legions passed under the yoke.<sup>10</sup> Marius soon retrieved, in Gaul and Lombardy, the honour of the Roman arms; but the Helvetii remained unmolested.

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Fifty years after this successful struggle, the whole Helvetic nation, together with some neighbouring tribes, resolved to migrate into a country where sustenance might be obtained with less toil and danger than in their native valleys. They, near four hundred thousand in number, including their wives and children, crossed the Jura, and advanced into the heart of Gaul. Divico still headed the Tigurini. Their conflicts with Cæsar, their defeats, and their return to their desolated homes, are instructive lessons to nations who seek for prosperity by other means than industry, moderation, and fortitude.<sup>11</sup> Cæsar secured the passes at Ge-

<sup>10</sup> This fact is expressly mentioned by Cæsar; but the passage may be one of those which Asinius Pollio has cautioned us not to admit without better evidence. Cæsar had to justify his aggression of the Helvetii, who had never molested him. V. Sueton. in vita Jul. Cæs. c. lvi.

<sup>11</sup> Cæsar's ample account of this memorable event is so much read, that it may be superfluous to insert it here. V. de B. G. l. i. c. 1.—29.

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neva, and through mount Jura, by the Julian equestrian colony, which he established at Noviodunum;<sup>12</sup> and the Helvetii, now dependent on Rome, guarded those which lead across the Alps, and thus became the bulwark of the empire against the Germans.

An overthrow the Veragri and Seduni, in the Valais, experienced at Octodorum,<sup>13</sup> from Sergius Galba, completed their subjection.<sup>14</sup> They retained, however, the privilege of being governed by their own magistrates; and received the rights which Latium owed to the ties of consanguinity, and many obstinate wars.

The Rhæti.

The Rhæti<sup>15</sup> are reported to have been a people of Tuscan origin, who flying from the oppression of the Gauls who ravaged their country, took refuge among the higher Alps eastward of St. Gothard, to the further confines of the Tyrol, and down to the lake of Constance.<sup>16</sup> Here they erected strong castles on many emi-

<sup>12</sup> Nyon, on the lake of Geneva.

<sup>13</sup> At or near Martigny, in the Valais. These tribes were probably not of Helvetic origin.

<sup>14</sup> Cæsar, de B. G. l. iii. c. 1—5.

<sup>15</sup> This name was either indigenous Tuscan, or derived from that of the chief who led them into the Alps.—The Lepontii were a tribe of uncertain origin, likewise seated among these mountains.

<sup>16</sup> Liv. l. v. c. 33.

nences;<sup>17</sup> and built another Lavinium, an Ardea, a Susa, and a Faliscum, of which Camillus never had any knowledge.<sup>18</sup> This people, perhaps exasperated by the losses they had sustained, or rendered callous by the extreme asperity of their newly adopted country, became martial to a degree of savage ferocity. They harassed their neighbours on every side, and exercised on them all manner of rapine and cruelty. Amidst the triumphs of the Romans all around them, they preserved their sullen independence:<sup>19</sup> until the days of Octavianus Augustus, when his two sons-in-law, Cl. Drusus and Cl. Tiberius Nero, with a considerable army, penetrated far into their country, seized on the most hardy of their youths, whom they incorporated into the Roman legions, and established a strong camp, which kept the natives in awe, and enforced the payment of a stipulated tribute.—Most of the Rhæti fell in these struggles for

<sup>17</sup> Arces, Alpibus impositas tremendis. Hor.

<sup>18</sup> Lavin, Ardetz, Susch, Flæsh, the present names of townships in the Grisons. To these many more Roman or Tuscan names of towns, and of some families, might be added.

<sup>19</sup> Their posterity, to this day, speak a language which is thought to be derived from these rude ancestors: it consists of two main dialects, the *Romansh* and *Ladin*. v. Phil. Trans. vol. lxvi. p. 129. Cox's Travels in Switzerland, vol. iii. p. 279.

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independence ;<sup>20</sup> and scarce one third of the Helvetii survived their wars with Cæsar. Such was the havock necessary to curb these stubborn mountaineers.

Times of  
the Roman  
Emperors.

Although subdued by Cæsar, the Helvetii still retained considerable privileges, and among the rest were allowed to garrison a fort near the frontiers of Germany, with their own militia. The Romans at the same time settled in many parts. The Colonia Augusta Rauracorum,<sup>21</sup> on the Rhine, soon became equally eminent for strength and splendor. Aventicum<sup>22</sup> was considered as the capital of the country. Vindonissa<sup>23</sup> and Ebrodunum<sup>24</sup> appear to have been places of some note: and many inscriptions are still extant, from which we collect, that during the auspicious reign of Augustus, this country enjoyed a degree of prosperity, which, under his profligate successors, was soon converted into a most degrading state of servitude.

<sup>20</sup> Such was the fierce resistance made by this people, that even their women are reported to have fought with desperate fury, and to have dashed their children in the faces of the Roman soldiers.

<sup>21</sup> Augst, near Basle, is the name of the village which now stands on the site of this once important station.

<sup>22</sup> Avenche, where many remains of the ancient city are still extant.

<sup>23</sup> Windish, near the conflux of the Reuss and Aar.

<sup>24</sup> Yverdun.

The

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I.

A. D. 69,

The twenty-first legion, when Vitellius assumed the purple, was stationed at Vindonissa. From its extortions, or perhaps from its irresistible impetuosity, it had acquired the name of the *rapacious*.<sup>25</sup> It took offence at the loyalty the Helvetii had maintained in favour of Galba; and being joined by the Thracian and other legions, and headed by Aulus Cæcina, a man of great audacity and unheard-of cruelty, ravaged the country from Baden,<sup>26</sup> which he demolished, up to Aventicum, where Julius Alpinus, the chief magistrate, was demanded for instant execution. His daughter Alpinula implored for mercy; but she implored in vain. Her sepulchral inscription, found not long since, expresses in pathetic language the sorrow which seems to have abridged her days.<sup>27</sup> The whole Helvetic nation was doomed to utter destruction. Claudius Cossus, the chief of a deputation sent to crave for mercy, succeeded by his eloquence and supplicating demeanor, to soften, not only the obdurate emperor, but even the exasperated le-

<sup>25</sup> *Rapax*. Tacit. Hist. l. ii. c. 43.

<sup>26</sup> *Respublica Aquensis*, was already noted, and resorted to for its salubrious waters.

<sup>27</sup> Julia Alpinula hic jaceo, infelicis patris infelix proles, dæ Aventiæ sacerdos: exorare patris necem non potui; male mori in fatis illi erat: vixi annos xxiii. Gruter Inscript. 319. 10.

CHAP. I. gions, and saved what yet remained of the desponding people.<sup>28</sup>

A short series of better emperors succeeded, and Helvetia, as well as the rest of the Roman world, experienced a less disastrous interval, Vespasian, whose father had carried on a profitable traffic in this country, strengthened Aventicum by a colony of veterans,<sup>29</sup> perhaps some of the legionaries whom Titus had brought back from Asia, after the conquest of Judea; whence, and from some resemblance between the lakes of Morat and Neuchattel, and those of Merom and Genezareth, which alike communicate with each other, this country is said to have been once named Galilee.<sup>30</sup> A college of physicians, and other public seminaries, were established in this favoured city. Rocks<sup>31</sup> were perforated in the vicinity, to facilitate trade and mutual intercourse. Timber, wine, and cheese, were exchanged for corn and other necessities. The industry of man penetrated into the higher Alps, explored their natural produce,<sup>32</sup> and ex-

<sup>28</sup> Tacit. . . c. 67, et seq.

<sup>29</sup> Colonia Flavia, pia, constans, emerita, Aventicum Helvetiorum. Murat. Thes. 1102.

<sup>30</sup> Fredegarius.

<sup>31</sup> Pierre Pertuisé:

<sup>32</sup> Described by Pliny in various parts of his Nat. Hist.

tended.

tended culture to the furthest limits of vegetation. The people paid grateful homage to the gods: they worshipped the sun under the name of the invincible Belinus, and his sister Isis, the moon. They honoured the sylphs as their peculiar guardians:\* and revered the gods of the shades below.<sup>33</sup> Many inscriptions bear witness to the domestic felicity they enjoyed; and cheerfulness is even observed on their sepulchral monuments. 'They lived,' as one of them caused to be inscribed on his tomb, 'as we do; we shall die like them: thus do men drive each other through the world: go passenger, and mind thy business.'<sup>34</sup>

But prosperous days like these were not to be of long continuance. Trajan was still holding together the unwieldy power of Rome, when the Alemanni from the north, spread their arms, and led their cattle to the confines of Helvetia. They wandered freely throughout the ample waste,<sup>35</sup> They despised walls; and stood in no need

\* *Sulis suis qui curam vestram gerunt.* Muratori Thes. 1987, n. 2. Martin Relig. des Gaulois, t. ii. p. 174.

<sup>33</sup> *Dis manibus* occurs often on inscriptions.

<sup>34</sup> *Vixi ut vivis, morieris ut sum mortuus; sic vita truditur; vale viator, et abi in rem tuam.* Gruter, 898. 1.

<sup>35</sup> The obsolete German word *almend* here used, means a common pasture. Among the many derivations of the name *Alemanni*, this is not an improbable one. The Suavi, or Suabians, were the same people.

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of social aid, for each man supplied his own wants. They feared and worshipped the invisible powers of nature; and probably sacrificed horses at the great Cataract near Shaffhausen; where the dark tumultuous scene (which even now, after the effects of time and culture have softened its features, strikes the beholders with awe and admiration), favoured the gloom of their barbarous rites.<sup>36</sup> After various attempts, whilst the feeble Gallienus had thirty rivals to contend with, they penetrated, in great numbers, into the valleys of Rætia, and crossing the mountains, overspread Italy as far as the gates of Ravenna. The northern nations seemed now in a general fermentation. The Burgundians from the Saale, the Heruli from the fenny sands of Brandenburg, the Ostrogoths, Franks, and Saxons, assailed the empire on every side. The situation of Helvetia was too central to escape the depredations of these ferocious invaders.

The nation  
extirpated.  
304.

The city of Aventicum was probably burnt in one of these incursions; and the whole nation seems, about this time, to have been totally extirpated: but no historian has recorded even the dates of these calamities. Geographers, who mention Helvetia during this period, repre-

<sup>36</sup> Horse-shoes have been found in the clefts of the rocks, which still remain at the great fall near Shaffhausen.

sent it as a mere desert: and Ammianus Marcellinus, at the end of the fourth century, speaks of Aventicum as of a place at that time wholly abandoned, but whose former greatness might be justly inferred from the large and extensive ruins that covered its site. Had Rome chosen to conciliate the friendship, rather than to subdue the people of the Alps, they would perhaps have fought more strenuously for their common welfare, and averted, both from Italy and their own country, the disasters that finally brought on the ruin of both.

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In this state of devastation, Helvetia became now an easy prey to the first adventurers who were inclined to occupy it: and yet some centuries appear to have elapsed before the new possessors rose to the rank of a nation. The Alemanni maintained their ground in the northern parts of Rætia, to the lake of Constance; and across the Reuss, as far as the Aar and the wilds of Aventicum. They were shepherds, and much addicted to arms. So far from building, they demolished cities, and often pillaged the open country. They continued steadfast to the gods of their ancestors. No social institutions can be traced up to this erratic people. They were restrained in their depredations by Clovis, who had brought his Franks from the heaths and swamps near the lower Rhine,

Helvetia  
re-peopled  
by

the Ale-  
manni.

The Franks.

CHAP. Rhine, and received the Gauls, weary of the  
 I. proud, but impotent sceptre of the Emperors,  
 under the sway of his more simple staff.<sup>37</sup> After

496. the battle of Tolbiac,<sup>38</sup> in which he embraced  
 the Christian faith, and defeated the Alemanni,  
 this people also yielded to his supremacy; but  
 many of them, when he advanced into their  
 Alpine valleys, withdrew from their allegiance,  
 and chose rather to desert their country than  
 serve a foreign king. Most of them, however,  
 seeing themselves forlorn and destitute, bore  
 the yoke without repining. Clovis took pos-  
 session of their country; but the limits of his do-  
 minions in these parts have never been accu-  
 rately defined. Rhætia fell to the lot of the  
 Ostrogoths.

The Ostro-  
 goths.

Among all the conquerors who have afflicted,  
 and yet commanded the admiration of mankind,  
 none was ever greater than Theodoric, the Os-  
 trogoth. He came with his hardy warriors from  
 Dacia, and the southern parts of Russia; and  
 received from Zeno, the Emperor of the East,  
 a formal surrender of lands in the north of Italy,  
 where he ruled for the remainder of his days  
 with great wisdom and renown. Rhætia was  
 then considered as a part of Italy. It included

<sup>37</sup> This staff is figured in the *Recueil d'Estampes représentant les grades*, &c. Par. 1780.

<sup>38</sup> In the Duchy of Juliers.

the Tyrol, a part of Suabia, all the Grison CHAP.  
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country, and the Alps of Appenzel, Glaris, and Uri, as far as a rock<sup>39</sup> on which, as a boundary towards Burgundy, King Dagobert afterwards caused a crescent to be hewn. Theodoric interceded with Clovis in favour of the vanquished Alemanni, and sent him word, "that he was great enough to be merciful." Many Alemanni however, between whom and the Franks there already existed a rooted antipathy, preferred the milder sway of the Ostrogoth. He appointed Servatus, his governor, or duke, over Rhetia; and sent a body of soldiers to maintain order, and secure the frontiers. Many Romans also settled in these parts; perhaps, because these craggy mountains appeared to them a safe asylum against wanton tyranny. A national militia, called the Breones,<sup>40</sup> was probably an institution of an earlier date; for the Rhæti, although curbed by Rome, still preserved a martial and independent spirit. Servatus restrained the licentiousness of these hands by a severe discipline. Our knowledge of the language and peculiar customs of the early Goths is so

<sup>39</sup> This rock is mentioned in a charter, but is not known at present.

<sup>40</sup> The oldest municipal law of Ireland is called *Brehon law*. v. Blackstone's Comment. sect. 4. This may be a word of Gallic origin.

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imperfect, that we can form no conjecture how far, in the present manners and dialects of the Swiss, there may still be any remains of Gothic antiquity. In the wildest parts of the mountains of Rhætia, there is a village,<sup>41</sup> situate in the midst of those where the Romansh language is used, whose inhabitants speak German: in the valley of Lugnetz,<sup>42</sup> are thought still to exist the descendants of the oldest Rhæti. But of such derivations it is more easy to demonstrate that they are all uncertain, than which of them are true. In a country like this, where each valley is the whole world to its inhabitants, the nearest neighbours are frequently such strangers to each other, as to differ widely in many of their customs, and sensibly so in their dialects: it is therefore by no means easy to determine what, and how much, there is in each valley of Tauruscan, of Rhætian, of Cimbric, Aleman-  
nic, or Gothic origin.

The Bur-  
gundians.

No people has, during a long interval, had greater influence in the more hospitable parts of Helvetia, than the Burgundians. They were probably of Vandal origin, and are said to have come from the banks of the Vistula; and, after some struggles with the Alemanni, to

<sup>41</sup> Avers, on a torrent which falls into the upper Rhine.

<sup>42</sup> On the lower branch of the Rhine, near Illantz.

have approached the Rhine, and penetrated through Gaul, far into the Roman province. An aged bishop came forth, and converted them, together with their leader Gonthahar, to the Christian faith.\* Constantius, a Roman general, allotted them a tract of land on the Rhine: but they, finding their limits too narrow for their increasing numbers, soon burst forth, and, after receiving some checks from Ætius, a leader who in better times would have acquired superior fame, they were allowed to extend their habitations to the plains at the foot of the Alps, which had been formerly occupied by the Allobroges<sup>43</sup> and Helvetii. They engaged, in return, to defend these boundaries of the weakened empire. Gundioch, a Visigoth, became their chief by election, and was the first king of Burgundy. They joined Ætius against Attila, to whom the traditional songs of the country ascribe the final demolition of many Helvetic cities. They afterwards penetrated farther into the interior parts of Gaul, and occupied the Uchtland,<sup>44</sup> and the whole Valais. They revived agriculture, renovated society, and restored the sweets of life to these desolated regions.—The most ancient families, abundance of words of the

\* Socrat. Hist. Eccl. lib. vii. c. 30.

<sup>43</sup> The district about Geneva.

<sup>44</sup> The less hilly country, where Berne and Friburg have since been built.

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General  
view of the  
country.

From these nations were descended the confederates of the Thirteen Cantons, their subjects and allies. Few dates are accurately known, but most of these new settlements were formed in the fifth century. At the commencement of the sixth, all that was not desert of the northern, or, as it has since been called, the German part of Switzerland, was possessed by the Alemanni and the Franks; the Roman<sup>45</sup> part was occupied by the Burgundians; and Rhætia belonged to the Ostrogoths. The kings of the Franks professed the catholic faith: and those of the Goths and Burgundians believed with Arius, 'that Christ was similar, but not equal to God; 'that he had not existed from eternity, but that 'he was made before all other creatures:' for Christians have ventured to contend with vehement animosity on points like these, although Christ have testified of himself, "that no one knoweth who the Son is, but the Father."<sup>46</sup>

<sup>45</sup> *The Pays de Vaud* is also called *Pays Roman*; it being the last district of Helvetia in which the declining power of Rome preserved a footing.

<sup>46</sup> Luke, c. x. v. 22.

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*Helvetia under the Burgundians, Ostrogoths,  
and Franks.*CHAP.  
II.

THE conquerors who founded those kingdoms to which, at this time, were annexed the Rhætian Alps and the Helvetic plains and valleys, were not succeeded by men of equal talents and energy. The descendants of Gundioch, and of the magnanimous Theodoric, did not possess the thrones of the Burgundians and Ostrogoths longer than half a century.<sup>1</sup> The monarchy founded by Clovis has indeed reached our days; but thrice have the races of its kings degenerated, and been ignominiously stript of their regal honours. Its last sovereign was perhaps the most guiltless; but unhappily for himself, his ill-fated house, and the civilized world, he was not fitted for the times in which he lived.

<sup>1</sup> The whole period from the time the Burgundians crossed the Rhine to the last defeat of Gundemar, amounts to 128 years. The reign of the Ostrogoths in Italy did not last more than 60 years. Theodoric was acknowledged king in 493.

Gondebald,

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Helvetia  
under the  
first king-  
dom of  
Burgundy.

502.

326.

524.

Gondebald, the son of Gundioch, a fratricide, but of no small renown in arms, could not impede his lords spiritual and temporal and the people, from assembling at Geneva,<sup>2</sup> and framing laws which controuled his power; and which were afterwards revised and confirmed at another meeting held at Ambieu.<sup>3</sup> Ecclesiastical affairs were likewise regulated at a council at Epaone,<sup>4</sup> by which the regal authority received some further limitations. Gondebald was succeeded by his two sons, Sigismund and Gondemar, who, forgetful of the maxims to which sovereigns owe their security, were soon assailed by the Franks and Ostrogoths, and after some feeble struggles yielded to the victorious invaders. Sigismund, his queen, and two sons, were taken by Chlodimir, and beheaded at Orleans. It is uncertain whether Gondemar fell in the field, whether he ended his days in prison, or whether he spent the remainder of a disastrous life, amidst various adventures, in distant countries.

Under the  
Ostrogoths.

The best part of the Burgundian dominions in Helvetia fell to the share of the Ostrogoths, but was soon forfeited by the depravity of their

<sup>2</sup> Spon, Hist. de Geneve, tom. i. p. 25. edit. 1730.

<sup>3</sup> Lex Burgund. A. Lindenbr. Cod. Legg. Antiquar. The place is not known at present.

<sup>4</sup> Colet, tom. v.

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monarchs. Theodatus, nephew of Theodoric, caused Amalasuntha, the daughter of that hero, to be put to death; and by that crime occasioned the defection of a great part of his Italian dominions, and incurred a series of misfortunes which ended in the ruin of his kingdom. Totila, his third successor, strove in vain to repel the attacks of Narses, the successful general of Justinian. Whilst he was collecting forces in Tuscany, Thierry, king of Austrasia, advanced into the Rhætian Alps; and from that time the whole of Rhætia and Helvetia became subject to the Franks. The Lombards, invited by Narses, occupied the seats of the Ostrogoths on the south of the Alps.

549.

Under the  
Franks.

To the times in which the Merovingian and Carlovingian princes possessed the supremacy in these parts, are to be ascribed many of the Helvetic foundations and establishments, both civil and religious; some of which, in subsequent periods, have even rivalled the lustre of the throne. The kings delegated their power in the provinces to deputies, who were bound personally to administer justice, to direct all public concerns, and, in case of need, to levy the forces of their respective districts. They bore different names in different provinces. A duke governed lower Burgundy; a patrician administered the district in the mountains, together with the Valais,

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II.



Valais, the Pays de Vaud, the Uchtland, and part of the Argau; another duke presided over the Alemanni; and a president over the Rhæti.

The counts, or companions, seem to have held a subordinate rank, but soon after rose to equal consequence; and barons are also named, who, with great manerial rights, held probably inferior jurisdictions. These officers, in process of time, and the nobles in general, secure in their fastnesses among the mountains, became regardless of the authority of the monarch; and the people, seeing the supreme power wholly vested in their hands, lost sight of the sovereign: and at length, when the imbecility of the descendants of Clovis, and their fatal dissensions, had deprived them of all energy, these aspiring delegates assumed an unlimited possession of the lands, titles, and honours, which had been conferred on them conditionally.

751.

Pepin, and his son Charlemagne, after having extirpated the Merovingians, thought it highly expedient to curb the power of these dukes and counts, and with this view encouraged religious establishments.<sup>5</sup> Even the fierce Rhæti, after the extinction of the race of their first presidents, were by the last mentioned crafty mon-

<sup>5</sup> Pepin is said to have built a castle near Soleure, which, probably from his name, was called Bipp; and the country between the Jura and the Aar, the Comitatus Pipinensis.

arch, brought to acknowledge the feudal supremacy of the Bishops of Coire. His successors inadvertently relinquished this salutary policy; and some dukedoms, and many counties, became gradually fiefs of inheritance.<sup>6</sup> After his death, as if his great talents, which he had so often misapplied, had at once wholly forsaken his posterity, nothing followed but an alternate succession of folly and wickedness. Sons warred against their fathers, and brethren among themselves: till at length, the power of the Carlovings became the scoff of nations, and the prey of pirates; and its princes, after a century and a half of baseness and infamy, were themselves driven from the throne, with no less ignominy than had attended the fall of the Merovingians.

937.

Charlemagne, having revived the western Roman empire, and transmitted it to five generations of his descendants, the Alemannic part of Helvetia is henceforth found to have acknowledged its supreme authority, delegated to the Dukes of Suabia, who had often to contend with the Bishops of Constance, and other envious rivals, for the peaceful possession of their office. But the Burgundian parts, and

<sup>6</sup> The fiefs and the offices were not always united. Thus Hapsburg, Nidau, Zæringen, &c. were indeed hereditary seigneuries, but only titular counties and dukedoms.

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Rhætia, were in the subsequent partitions of the dominions of that subtle monarch, repeatedly annexed to the Austrasian kingdom. This, however, was of short duration : another race succeeded, which was not descended from the victorious Charles.

Under the  
new king-  
dom of  
Burgundy.

Boso, a count from the Ardennes, rose to high distinction by his personal merit, and still more by the love Charles the Bald bore to his sister Richilda. This monarch conferred on him the government of Provence, the county of Vienne, and the Abbey of St. Maurice in the Valais. The count, by a stratagem, obtained likewise the hand of Hermengard, the daughter of the Emperor Lewis the Second. No man arrives at such pre-eminence by his own dexterity, but knows how to avail himself of it, for further aggrandizement. Accordingly, at an assembly of the lords spiritual and temporal of Burgundy, held at Mantala,<sup>7</sup> it was decreed that, there being, in fact, no king in the realm, and insufferable abuses of every kind prevailing throughout the country, the crown should be tendered to Boso, whose firmness of conduct had inspired them with confidence. This defection was the first step to the decline of the Carolingians. The new king, not contented with the right he derived from the election,

<sup>7</sup> A castle not far from Vienne, which no longer exists.  
obtained

obtained the solemn investiture from the Emperor Charles the Fat.

He resided at Arles, whence the kingdom, which comprised only Dauphiné and Provence, took the name of Arelat; and dying after a reign of nine years, transmitted his crown to his son Lewis, a minor, under the guardianship of Queen Hermengard. This Lewis had no successor to his crown.

Meanwhile appeared Rudolph, a Suabian count, of the celebrated Guelphic race, whose father had held some high offices and estates in the Jura, and resolved to avail himself of the distracted state of the country, and of the friendship of many lords and prelates, particularly the Bishop of Sion, to acquire a crown. He called an assembly at St. Maurice, and was there declared King of Burgundy. The Burgundian Helvetia and Savoy, were among the most valuable of his dominions. To these his son, Rudolph the Second, added the kingdom of Arelat, and some provinces of Italy. This second Rudolph was the husband of Bertha, the daughter of Burcard, Duke of Suabia; one of the brightest examples of domestic virtues on a throne. His grandson, Rudolph the third, closed his royal line. His profusion, chiefly to convents, left him so destitute, that he was deemed the most needy sovereign in the world. He

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1024.

1032.

knew no better way to extricate himself from his difficulties, than by bequeathing his kingdom to the emperor, Henry the Second, of the Saxon line. He was strenuously opposed in this testamentary disposition by his kinsmen, who were unwilling to forego their right of inheritance; and by his nobles and prelates, who revived their claim to the privilege of election to the crown: but the emperor sent forces under Werner of Hapsburg, Bishop of Strasburg, who beat the Burgundians near the lake of Geneva, and compelled them to acquiesce. He sent Beroald, a Saxon nobleman, as his vicegerent to Arles; and named Hugh, the son of Rudolph,<sup>8</sup> to the Bishopric of Lausanne. He died before the legacy devolved to him; and Conrad the Franconian, his successor on the Imperial throne, maintained that the bequest was made, not to Henry personally, but to the empire. On the death of Rudolph, the emperor accordingly possessed himself of the kingdom of Burgundy, and of all its dependencies. All Helvetia now owned the supremacy of the empire.

Most of the writers who have related the history of this country, have thought fit to enter largely into a detail of the succession, the

<sup>8</sup> Mollis et effeminatus.

few virtues and many crimes,<sup>9</sup> the dissensions and disasters of the princes of the Houses of Gundioch, Clovis, Pepin, and the Burgundian Rudolph. Their deeds no doubt influenced materially the fate of the inhabitants in the Alps and on the Aar: yet as their origin, the seat of their government, and their policy, pertained chiefly to other nations, it may suffice for the purpose of this narrative, to survey briefly what remains upon record of the form of government, and the laws which prevailed in Helvetia, in those days; of its civil and religious establishments, which in fact supply the materials of the sequel of this history;<sup>10</sup> and of the manners and customs of its people, not wholly uncivilized, though unrefined, which ultimately led to the recovery of their independence; and the departing from which contributed to the final dissolution of the Confederacy, to which they have owed so many tranquil and happy days.

The Burgundians came to an agreement with their Merovingian conqueror, ' That they

Form of  
govern-  
ment.

<sup>9</sup> Their crimes, in fact, were no less atrocious than those of Artrides, and would have become as eminent, had they, like these, been celebrated by a sublime poet in a harmonious language.

<sup>10</sup> The account to be given of these establishments will be reserved for the next Chapter, in order to connect all that relates to them, down to the æra of the Confederacy.

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‘ would bear him the same allegiance they had  
‘ till then professed for the princes of the House  
‘ of Gundioch ; that they would follow him in  
‘ his wars, but that their bands should never  
‘ be separated in the field ; and that their rights  
‘ and property, both as a nation and as indivi-  
‘ duals, should be preserved inviolate.’ They  
still, according to their ancient custom, elected  
their king, who was supreme in civil and judi-  
cial matters ; but they engaged to chuse him  
out of the house of Clovis. They also named  
their military leaders ; in the choice of whom,  
while the nation continued to be an army, they  
proceeded with greater caution ; deeming the  
talents required for the conduct of a war far  
superior to those that constitute even the ablest  
civil magistrate. They long contended for  
these rights of election ; but crafty and despotic  
monarchs, who were irresistible by the posses-  
sion of other extensive dominions, found little  
difficulty in occasionally suspending, and ulti-  
mately abolishing, the privilege of chusing the  
king ; and they, moreover, soon arrogated to  
themselves the sole command when the people  
were called to arms.

Notwithstanding these encroachments, the  
power of the monarch did not continue long  
without control. The sceptre soon fell into  
weak hands ; and the nobles, especially those  
who

who held high offices, or delegated authority in the provinces, found it easy to restrain even the limited power the ancient constitution had vested in the king. Pepin and Charlemagne, after having availed themselves of these successful intrusions, saw the expediency of lessening the means to which they, in a great measure, owed their own aggrandizement. They abolished the office of duke, increased the number of counts, but confined within narrow limits the districts they were appointed to administer; they also often employed ecclesiastics, who owed their benefices and looked up for further advancement to the royal favour, both in civil and judicial departments.

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But a despot never slackens the reins of government with impunity. Even this diminished influence proved too ponderous for the unsteady hands of the descendants of Charles; nor were the dignified clergy behindhand in assuming a predominancy, and accumulating stores of riches, which they had abjured in their sacerdotal vows. The rising authority of the Roman Pontiff, became also a weighty counterpoise to the regal power. Great, and in many cases no doubt, just censure has been past on the improper use the Popes have made of their spiritual weapons; but candid observers will nevertheless admit, that these weapons have oftener been used

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used for the benefit than the detriment of the nations who acknowledged their influence. Without the papal interference even Britain might not perhaps have been blessed with the great charter of its liberties. Had the hierarchy at all times used its means with the wisdom and moderation that becomes the order, it might, in our days, have stemmed the torrent of desolation and anarchy that has overwhelmed the fairest parts of Europe. The government of Helvetia, after the ninth century, had far less of monarchy than of the aristocratical form; and the prelates had an ample share in the power of the nobles.

Laws:

1. Burgundian:

Two codes of law extended their ordinances over this country, the Burgundian, and the Alemannic. They reciprocally arose out of, and influenced the manners of the two nations; and may hence serve for a key to many customs that prevailed among them. The former exists in the acts of the assembly at Ambieu,<sup>11</sup> and the decrees of Childebert, King of Austrasia.<sup>12</sup> The kingdom, according to these, was divided into hundreds,<sup>13</sup> perhaps because each of them was administered by one of the hundred counts

<sup>11</sup> v. Lex. Burgund. Apud. Lindenbr. Cod. Legg. Antiquar. præf.

<sup>12</sup> He died in 596.

<sup>13</sup> Centena.

of the province,<sup>14</sup> or because a community of one hundred heads of families was, in case of a robbery, bound to find the thief, or to refund the theft.<sup>15</sup>

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The head of each hundred was maintained by his community, which also lent him aid in case of public disturbances. In intricate cases (for no great acuteness was expected from a Burgundian<sup>16</sup>) an appeal was made to God, who decided either by the ordeal of an heated iron, or the issue of a duel. An oath was the chief link of society, and has continued to our days the most sacred bond of union of the Helvetic states. The laws against theft were framed with peculiar severity.<sup>17</sup> A fine and restitution were the penalties in common cases; but if the thief could not discharge the fine, he was hanged as a worthless recreant. A venal ma-

<sup>14</sup> Such perhaps as Tacitus describes, "*Centeni singulis ex plebe Comites, consilium simul et auctoritas, adsunt*," Germ. c. 12,

<sup>15</sup> Such were also the institutes of Alfred.

<sup>16</sup> The stupidity of a Burgundian was proverbial. Berenger of Tours gravely calls in question, whether genius ever found its way into Burgundy.

<sup>17</sup> Uncivilized nations are ever prone to theft. The instances in Cook's voyages are innumerable: and even among the Pelewans, a race represented to us as singularly honest, it is acknowledged that the British sailors found it necessary to keep a particular guard upon their stores.

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gistrate, who unduly acquitted a robber, was put to death. The ancient custom of expiating a murder by a pecuniary mulct, was abrogated. Private revenge was tolerated; and the seducer of a free damsel, if he could not pay a heavy fine, was delivered over to her relations, to be dealt with in the manner that Fulbert chastized the lover of Heloise. A bondman who cut off the hair of a free woman, was by these laws sentenced to die.<sup>18</sup> No man was allowed to alienate his paternal estate: All the children shared alike in the inheritance; but a nun had only a life interest in her portion. Wives, as is generally the case among savages, were purchased of their parents: those who deserted their husbands, were suffocated in a boggy pool. Men might put away their wives for three reasons; for adultery, for poisoning, and for disturbing the dead by sorcery. A reward was stipulated to soothsayers, who revealed places where stolen goods were hidden. When we read that he who had stolen a dog, was bound to kiss its posteriors before a public assembly of the people, we must allow that these law-givers were destitute of the due sense of dignity,

<sup>18</sup> As the Lombards were since distinguished by a peculiar cut of their beards, so was a long head of hair a badge of high descent among the Franks.

which, among the ancients, had been the secret spring of their wise legislation. CHAP.  
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The king's counsellors, his friends, the mayors of the palace, the chancellors, the counts of the cities and provinces, and the other magistrates and chiefs both of peace and war, were deemed the first nobility: the body of freemen composed the second rank: those born in bondage, who, having acquired their freedom, held lands in base tenure, were of the third: and the slaves, or bondmen, constituted the fourth, or lowest order. The bulk of the people were in general annexed to the glebe; an expedient, without which the wandering tribes would perhaps never have become stationary. The king's immediate bondmen ranked with the freemen, and those whom he manumitted with the nobility. The counts administered justice without any fee or reward; but they held lands, which were appropriated to their respective offices. The king, in consideration of his general superintendence, received the fines of all his vassals; but these fines were limited by the laws.

Among the laws which the Alemanni had devised in the early times of their obscurity, those which seemed most equitable and congenial with the spirit of Christianity were successively collected by Childebert and Clothaire; 2. Aleman  
nic.  
and

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and lastly, formed into a code by Dagobert.<sup>19</sup> As they sprung from the habits of a people chiefly addicted to arms, they were far less complicated than those of Rome, which had to guard against all manner of fraud and subtilty. They consisted chiefly of short prohibitions against acts of violence. No man was hence permitted to come armed into the house of another. An injury done to a woman was punished by a double fine; for men it was thought have the means of self-defence. These laws related more particularly to the personal and domestic concerns of the people, their bullocks, their cows, their horses, their bears, on which they fed with as much relish as the other Germans were wont to do on horse-flesh, their stags, which they trained for the chase, their shepherds' dogs, their blood-hounds, and the dogs they kept for hunting wolves and bears, and for running to the assistance of neighbours in case of need. If a dog killed a man, the owner paid half the sum at which the life was rated; and if he refused payment, the dog was hung in his door, and no other entrance was permitted into his house until the decayed carcase dropped of its own accord. Few of their punishments were capital, for the law-

<sup>19</sup> V. Lindenbrog, Goldast, and Baluze.

givers were aware that the frequency of bloody executions would only foster the sanguinary dispositions of the people, which they wished to soften; and because property is a fact dearer to a rude people than life itself.

The Alemanni, like the Burgundians, had likewise a succession of subordinate ranks. Next to the dukes and counts they had freemen, either by birth or manumission, mercenary servants, and slaves. The latter ploughed for their own use one half of the land allotted them, and the other half for their masters. The maids spun wool, wove cloth, and made it into garments. They had as yet no vineyards: fewer of the shepherds than of the husbandmen were slaves; for the German shepherds had subdued the Roman husbandmen; and hence to this day are the pastoral tribes of the Swiss possessed of a far more independent spirit than those among whom husbandry prevails. Coercive laws controlled the public conduct of this hardy people: their private life was restrained by the salutary terrors of the church. The neglect of public worship on Sundays was severely censured. Men were not allowed to spend whole nights in the loose pleasures of the bottle and the song; and when female dancers came on Sundays to farms and hamlets, they were driven away with heavy blows. And yet the laws as well as the

10 church

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church discipline admitted of abundance of rural and domestic enjoyments. Life was not intended to be a gloomy but an orderly state of existence. The churches were sacred asylums for servants. Pious gifts were authorized: and the alienation of church property was strictly prohibited. The bishops ranked higher than the counts, and were nearly equal in dignity to the dukes. Barbarians whose reason is apt to be perverted by stubborn passions must be influenced by leaders, either eminent in rank like the dukes or venerable like pious hermits.

A new statute.

At a subsequent assembly of the lords spiritual and temporal held at Paris,<sup>20</sup> it was further enacted: that all bishops be chosen by the clergy of the diocese, and consecrated, under royal sanction, by the archbishop, in the presence of all the suffragans of his province: that no one presume to screen or abet a priest against the authority of his bishop: that in all matters both civil and criminal, the clergy be amenable to the laws; but that a certain number of their order be annexed to the tribunal before which they were to be tried: that in all causes between priests and seculars, an equal number of jurors be selected from both orders:

<sup>20</sup> Anno 615. This assembly is known by the name of Council. Paris: v.

that all the recent taxes be abrogated : that none but natives be sent as governors or delegates into the provinces : that every individual be indemnified for any damage he may sustain from undue extortion : and that every man be protected in the peaceful enjoyment of his rights and property.

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Such laws, duly administered, could not fail Manners. to promote the permanent felicity of a country : and accordingly we find, that from this time the Helvetic tribes became more stationary ; that they improved their agriculture, and studied the comforts of life. The wastes and deserts among the remotest Alps, and up to the farthest boundaries of animated nature, assumed a more smiling aspect. Forests, however, still prevailed ; but they gradually made room for castles, convents, and solitary mansions, with each an appendage of cultivated land. Of cities or large townships there are few traces within this period. The dukes and counts, as well as the king, subsisted on the produce of their lands, the culture of which they personally superintended. This occasioned a frequent intercourse with their inferiors ; and the great Charles, at the same time that he was enacting laws for the most extensive monarchy since the fall of the Roman empire, regulated the price of eggs at his farms, and wore garments made  
by

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II.

by his wife. The nobles maintained a convivial intercourse. Their visits and meals began with friendly embraces : the table was spread with rich carpets, and especially in the great abbeys often with massy plate. The viands were distributed in large pieces out of capacious bowls. The guest consumed much bread and cheese, but less wine<sup>21</sup> than bear and mead. They danced at their feast, but ever observed a strict decorum. Great families prided themselves in stores of gems, plate, and embroidered garments, which they hoarded through generations ; and fondly boasted of them when at a banquet, a wedding, the knighting of a son, or the funeral of a kinsman, the noble matron brought them forth from the great iron chest, and displayed them in the spacious hall.<sup>22</sup>

<sup>21</sup> Wine was so valuable an article at this time, that the monks of St. Gallen having received a present of a cask, were thrown into the greatest consternation on hearing that it had fallen into a pit, and that the wine was in danger of being lost. After much deliberation, all human means appearing inadequate, they went forth in solemn procession, walked round the pit, and sang devoutly, " Good Lord, deliver us ! " Full of confidence, they now made a joint and successful effort ; and having safely lodged the cask in their cellar, they chaunted a joyful *Te Deum* : with more reason, no doubt, than we are apt to do after a bloody victory.

<sup>22</sup> There are natives of Switzerland still living who remember such primitive customs.

The

The peasantry in the plains between the Alps and the Jura were chiefly tenants of some lord or monastery. Each husbandman who offered to settle on their lands received a house, wood, a plough, a waggon, a team of four oxen, a sow, two pigs, a cock, two hens, a sickle, an axe, a hatchet, and seed for spelt, oats, hemp, millet, beans, pease, and turnips. The annual rent was invariably fixed; and it was paid in kind, together with a certain proportion of labour. Each spring and autumn he was called upon to till a certain number of acres for his landlord; he was bound to carry messages between the Aar and the Reuss; to fetch wine out of the Brisgau and Alsace; to entertain strangers three times a year, and to perform watch one night in the year, for which he was allowed a glass of beer and half a loaf of bread. He who had the greatest number of children was generally the most thriving farmer; for their hands earned more than their mouths consumed. No sooner had the pastures in the spring resumed their luxuriant verdure, and the new crop of wool been delivered in by the shearers, than the cattle were collected from all parts and driven with jovial festivity into the Alps. He to whom twelve farmers entrusted their cattle was called a master shepherd. In the middle of summer all the proprietors re-

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sorted to the mountains, settled the proportion of the produce due to each, and spent some days in rural sports and conviviality. The landlord on every St. Andrew's day received his rent in cheese, whey, beasts for slaughter, skins, felts, cloth, linen, nuts, and other fruit.<sup>23</sup> The wool and skins were manufactured in the country; and homespun cloth was the general wear of every class. Attempts were made to introduce tillage in the higher valleys among the Alps, but the climate was found too sharp for wheat. Berklinda, a lady of large property, was at this time in great repute in the neighbourhood of Muri. Her bull, her ram and boar wandered freely over all the adjacent fields and gardens, for they were the only ones at that time in the vicinity. Her large grazing farm at Bollikon boasted of franchises equal to those usually granted to churches. Such rural opulence is ever attended with a degree of patriarchal dignity, which wealth acquired by deep speculation or mean servility scarcely ever obtains, though it be lavished ever so profusely.

Among the lower classes of men the shepherd of the Alps was distinguished by his lofty stature and uncommon vigour. His spreading

<sup>23</sup> This statement is chiefly collected from the register of the abbey of Muri, in the Argau;



beard covered his hairy breast; and his mien and features expressed such a conscious superiority, that the proudest lord when he met him could not refrain from bowing to him. Besides superintending his cattle, he was likewise a hunter, a husbandman, and a soldier.<sup>24</sup> Sometimes he even owned lands of independent tenure. Each of them manufactured his own implements. He was hence no doubt less dextrous than our artists in any one craft; but no man is now so variously skilled as he was. He knew moreover how few and limited are the wants of nature, and hence he derived his independent spirit.

Such were, in the days when Bertha spun the garments of her royal consort and progeny, and visited her tenants on horseback,<sup>25</sup> the simple manners of both the Burgundians and Alemanni in Helvetia. Our age may no doubt boast of more extensive knowledge and more refined improvements: we are better acquainted

<sup>24</sup> Many instances are recorded of the prowess of the Helvetic soldiery in the service of their sovereigns; but, except in repelling the attacks of some Lombard, Saracen, and Madschar or Hungarian invaders, they never fought in their own cause.

<sup>25</sup> The proverb is still in use; *Ce n'est plus le tens où Berthe filoit*. On a seal of hers she is represented spinning on her throne. Her saddle is still preserved at Payerne.

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with the East Indies ; the West Indies are our own ; but they knew how to enjoy the gifts of nature that surrounded them. Travelling was then both difficult and dangerous: these people therefore remained at home, improved their native soil, preserved their candour, and loved their friends. Writers of eminence have of late extolled in glowing colours the benefits of social virtues, and the charms of general philanthropy ; while depraved manners and selfish passions have overspread the earth with cruelty, injustice, and desolation.

## CHAP. III.

*Helvetia under the Germanic Empire.*

**T**HE Emperor Conrad the Salic had a long contest with Odo, Count of Champagne, a near relation of the deceased Rudolph King of Burgundy, who with great valour defended his claim to that crown. The event of the war proving indecisive, Conrad assembled at Payerne all the lords, whom either hope or fear had secured to his interest, and accepted from them the crown of Burgundy, as a gift of their free choice. He even allowed himself to be elected a second time at Geneva, and was there solemnly crowned by the archbishop of Milan. The times however were still so calamitous, so full of faction and animosities, that the prelates thought it incumbent on them to interfere; and having assembled at Romont, in the Pays de Vaud, they agreed that on the days and seasons which our Lord had sanctified by his birth and passion,<sup>1</sup> no Christian should, under heavy ec-

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1032

<sup>1</sup> Every week from Wednesday evening to the next Monday morning; and every year from the first Sunday in Advent to the Octave after Epiphany, and from the Septuagesimal Sunday to the Octave after Easter.

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III.

clesiastical penalties, raise his arm against another Christian. All Burgundy accepted this salutary ordinance, which, being considered as a gift of heaven, was called the *Holy Truce*.<sup>2</sup>

1038. After the death of Odo, who fell in a battle near Bar, Conrad finding himself in the quiet possession of the kingdom, assembled a diet at Soleure, where he revived the coercive laws which, during the two preceding reigns, had been greatly relaxed: and transferred the administration of Burgundy to his son Henry, who afterwards succeeded him. This Henry, 1039. soon after, became also possessed of the Imperial dignity, and of the kingdoms of Germany and Lombardy; and reigned unrivalled from the Tyber to the Oder, over the fairest and most populous parts of Europe. To the short period of internal tranquillity that now succeeded, are to be ascribed the foundations of many convents in the wildest regions, and the origin of many castles on the most secure and pleasant spots of this highly diversified country.

The most prominent feature of the reign of Henry the Fourth, son and successor to the last mentioned emperor, was the incessant struggles between the Imperial and Papal authorities. 1070. Gregory the Seventh<sup>3</sup> issued severe decrees

<sup>2</sup> Treuga Dei. v. Du Cange in Voce.

<sup>3</sup> The celebrated Hildebrand.

against simony and fornication. By the former he meant to abridge the laity of their patronage over ecclesiastical benefices, and the object of the latter was to prohibit the marriage of priests: both manifestly aimed at strengthening the hands of the hierarchy; but Henry saw with a jealous eye the altar rising to a level with the throne. The many nobles, prelates, and heads of religious communities, who had by this time assumed the chief ascendancy in Rhætia and Helvetia, were either personally or officially too deeply concerned in these disputes not to espouse the cause of either party. Other wars are usually carried on by soldiers, and extend over a few provinces; but religious contests excite the zeal and stimulate the ardour of every individual of either sex, of every age, and of all conditions. The conflict became general throughout the country. But before this history proceeds, it may be proper to take a retrospect of the origin, progressive aggrandizement, and fluctuating fortunes, of the most considerable families, religious foundations, and municipal establishments, which now began to influence the fate of this country much more than the destinies of the monarchs, who still pretended to hold it under their paramount authority.

The

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IIII. SECT. A  
LORDS.The Presi-  
dents of  
Rhætia.

The first who is said to have transmitted his office as well as honours to his posterity was Victor, a man of high birth, and great influence and property near the sources of the Rhine, whom one of the first kings of the Franks appointed Count of Coire, and President over Rhætia. From him descended six presidents and four bishops, who in the course of two centuries administered all the civil and ecclesiastical affairs of this province. Thello, Bishop of Coire and President, was the last of the race, and dying without heirs, bequeathed most of his property to the see of Coire and the abbey of Disentis. Charlemagne, consistently with his crafty policy, abolished the office of president, and transferred the best part of the authority annexed to it to the succeeding bishop, whom he knew to be the creature of his own hands. The military command he shared among several counts, who, being generally at strife among themselves, were little able, and still less inclined, to give umbrage to the sovereign.

The Counts  
of Lenz-  
burg:

In the Gaster, between the lakes of Wallenstadt and Zurich, were several estates, which had been conveyed by the marriage of Enna a

A valley so called from the *Castra Rhætica*, which had been established there by the Romans to curb the savage inhabitants of the higher Alps.

Countess.

Countess of Coire to a noble family, which being probably descended from the Lentienses, an Alemannic tribe, had given to the castle they afterwards built in the Argau the name of Lenzburg. The great benefits they conferred on their dependents were amply requited by the love and gratitude of the prosperous people; and they, by acts of kindness, established a firm and permanent ascendancy over their own extensive and many neighbouring domains. They enlarged the monastery at Schennis in the Gaster;<sup>5</sup> and gave rise to many new towns, castles, and convents in the valleys of Schwitz and Unterwalden, and on the lake of Zug. The line became extinct; and the rich inheritance of its allodial estates devolved to the Counts of Kyburg.<sup>6</sup>

Among all the nobles who during the reigns of the Carlovingian princes had assumed a preponderancy which nearly eclipsed the throne, none were for a time more eminent than the Counts of Kyburg. They were descended from an illustrious race of Alemannic origin, which formerly resided at Altorf in Suabia, the family seat of the Guelphs; and are said, like those of Lenzburg, to have come into Helvetia across the lake of Constance. Their liberality endear-

<sup>5</sup> Founded by a Count of Coire, in the year 806.

<sup>6</sup> Anno 1173.

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ed them to the people of Thurgau, where on the projecting brow of a high mountain on the river Toss they built their castle; and during the reign of Charlemagne erected on the island of Rheinau, the convent of St. Findanus. They owned likewise the town and castle of Dillingen on the Danube. They obtained great opulence by marriages: and an emperor is said to have granted to count Ulric large possessions in the Thurgau, as a recompence for having freed him from a competitor to his crown.<sup>7</sup> Under the appellation of Landgrave of Thurgau, they ruled with supreme authority over the whole district from the river Glat to the Rhine, and from the Aar to the lake of Constance. After a long and glorious succession Count Hartman died without male issue,<sup>8</sup> and most of his fair possessions descended to the house of Hapsburg; but to this day do some of the greatest potentates in Europe pride themselves in the addition of Kyburg, to their other numerous and splendid titles.<sup>9</sup>

Of Haps-  
burg.

Guntram, a count of an ancient family in Alsace, having engaged in an unfortunate con-

<sup>7</sup> The assassination of Lambert King of Italy, and rival of the Emperor Arnulphus, is an obscure, and by no means well authenticated transaction.

<sup>8</sup> Anno 1264.

<sup>9</sup> Austria and Spain:

test with the Emperor Otho the First, forfeited all the Imperial fiefs he held in that province, and retained only some hereditary estates in the Argau.<sup>10</sup> His ancestors had boasted of ducal honours, and exercised great power as Landgraves of Upper Alsace: they had received from the new kings of Burgundy almost the whole of the Erguel.<sup>11</sup> His posterity have since been obeyed by the nations on the Po, the Danube, the Tagus, the Indus, and among the Cordilleras. But Guntram was at this time so reduced that he did not think it beneath him to harass the inferior nobility, and oppress the industrious peasants on his small domain. He gradually claimed as dues services which had occasionally been rendered him as voluntary compliances; and he even, without any prescriptive right, exacted stated contributions. The free-born inhabitants of the neighbouring village of Muri who thought themselves aggrieved remonstrated with his son Lanzolin; but this successor continued the vexations practised by his father:

946.

<sup>10</sup> The world abounds with pedigrees of the house of Hapsburg. The Monk Herrgott published one, in three large folio volumes. When adulation rose in proportion to the magnitude of its object, it became an easy matter to trace the descent of this family up to Scipio, Hector, Cham: and why not up to Adam?

<sup>11</sup> A large district of what has till lately constituted the Bishopric of Basle.

991.

1020.

he promised them his protection, but seized on their lands and houses, because they would not on all occasions pay implicit obedience to his commands. Thus do protectors frequently support the feeble and credulous. The same people, accompanied by two nuns, came to Radbod the son of Lanzolin, the seventh ancestor of the great Rudolph, and still claimed redress; but he also was true to the maxims of his progenitors, and drove them from his presence with harsh rebukes. He built the castle of Hapsburg on a woody eminence rising on the plain which had once been occupied by the Roman colony of Vindonissa. He omitted nothing that could contribute to the strength and security of this important seat, which stood in the centre of his patrimony. Hence from the great hall in the tower he viewed around him many castles, hamlets, and dwellings of kindred nobles retainers and vassals, whom by hospitality and largesses, which he was enabled to practise by the wealth he obtained from his brother Werner Bishop of Strasburg, he secured inviolably to the interests of his aspiring race. Some of the descendants of these nobles have reached our times. Two minors of the house of Hallwyl were lately<sup>12</sup> proprietors of the lordship of Far-

<sup>12</sup> Anno 1780. When Maria Theresa closed the Imperial line of Hapsburg.



wangen, which their ancestors had obtained from a Count of Hapsburg: the Lords of Luternau survived as citizens of Berne; and some of the race of Winkelried existed still among the common people of Underwalden. Few families can trace their lineage to so remote a period; and the heroes of the names of Hallwyl and Winkelried have a far better claim to immortal honours than many of the proudest monarchs; for men like them can only be found at Marathon and Thermopylæ; at Sempach and Morat.

Four generations succeeded to Radbol, which produced no men of any eminence either for virtue or demerits. Rudolph, his fifth descendant, appears to have recovered the Landgraviate of Upper Alsace; and, among many other territorial acquisitions, he likewise held the county of Lauffenburg on the Rhine. As he had ample power to screen the defenceless, many convents and lay proprietors up to the entrance into the pass of St. Gothard, placed themselves under his protection. His two sons, Albert<sup>13</sup> and Rudolph, shared the inheritance between them, and formed two distinct branches; the former retained the peculiar appellation of Hapsburg, and the latter assumed the additional title of

1232,

<sup>13</sup> The father of the first King of the Romans of this race.

CHAP.  
III.

1386.

**Lauffenburg.** A grandson of the last mentioned Rudolph, married the heiress of the Count of Rapperswyl, and his second son, Everard, obtained in marriage the heiress of Kyburg, and was the founder of the line of that name: hence did all those ample domains ultimately centre in the house of Hapsburg. John, the sixth descendant from Rudolph of Lauffenburg, had no sons. He accepted of a sum from his kinsman Leopold of the Hapsburg line, then Duke of Austria, and made over to him all his possessions. Thus did the Austrian branch succeed to all that their oppressions had not forfeited of the territories of their house, which once extended over the greatest part of Helvetia.<sup>14</sup> An uniform and most happy coincidence of circumstances, and above all an inflexible adherence to a system of aggrandizement, have since raised this house to the highest rank in the Christian world.

Dukes of  
Züringen.

The castle of Zürich stood on a hill not far from Friburg, the capital of the Brisgau; and considerable territories in the Black Forest, and in the plains of the Margraviate of Baden,

<sup>14</sup> Notwithstanding the diplomatic labours of Herrgott and other genealogists, this whole descent is involved in some obscurity. The Counts of Rheinfelden are mentioned as being a branch of this house, one of whom, Rudolph, contended for the Imperial crown with Henry the Fourth.

were once its peculiar domain. Berthold, who in the middle of the eleventh century appears as the first duke of this name, is by some reported to have been a third descendant from the abovementioned Guntram of Hapsburg, and nephew of Radbod, the builder of the castle of that name.\* Berthold had been promised the dukedom of Suabia; but the Emperor broke his promise, and the disappointed claimant vowed vengeance, which in the inveterate wars that succeeded between the Mitre and the Imperial crown, he and his posterity had frequent opportunities of gratifying. The first Berthold was succeeded by a second of that name, whose renown for valour, benignity, and justice, had endeared him not only to his own kindred and vassals, but also to all the nobles of his party, who considered him as their friend and leader. Whenever a messenger brought him disastrous tidings, if he saw him falter, he would encourage him by his own firm aspect: 'Speak out,' he would say, 'do I not know that life is chequered with blessings and misfortunes?' This testimony concerning a Guelph is given by a Ghibelin.<sup>15</sup> In fighting

1077

\* Since the publication of Scheopflin's excellent Hist. of the House of Zæringen, this conjecture must be wholly relinquished:

<sup>15</sup> Otho of Friesingen; L. i. c. 8;

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1090.

1097.

for the Pope, he had at the same time to contend for his own patrimony, and for the office of Landgrave, which his father had held before him. Amidst a variety of alternate fortunes, he succeeded however in recovering all his hereditary estates, which the emperor had granted away from his family to the Bishopric of Basle. In an assembly of the nobles of Suabia, at Ulm, he was chosen duke of that province; but he found a formidable competitor in Frederick of Hohenstauffen, who claimed the office in right of the emperor's nomination. The competition lasted several years; till at length Berthold, commiserating the calamities which had long desolated his and the neighbouring countries, resolved to sacrifice a precarious aggrandizement to the blessings of peace and public welfare. After a contest of seven-and-twenty years between his house and the Emperor Henry the Fourth, he repaired to the Imperial court at Mentz, and there surrendered the Dukedom of Suabia to his rival. He received in return the Advocacy,<sup>16</sup> and all the Imperial prerogatives

<sup>16</sup> This appellation must often occur, and requires some explanation. The ecclesiastical establishments not being in general sufficiently armed against external violence, found it expedient to have secular protectors, on whom they could rely for safety and defence. They of course chose some powerful lord; and these in their turn, as the office conveyed

over the city and ministers of Zurich, and their several dependencies; the first step towards the beneficent influence which the house of Zaringen acquired in the sequel over the greatest part of the Burgundian Helvetia, of which so many incontestable monuments have reached our days.

A third Berthold followed next, of whom 1111.  
nothing memorable is recorded, except that he built and enfranchised the city of Friburg in the Brisgau. He was assassinated; and, leaving 1123.  
no male issue, was succeeded by his brother Conrad. Lotharius of Saxony, the reigning emperor, had a warm contest with Renaud Count of Chalons, for the succession of Burgundy, the conduct of which he committed to

veyed much power and influence, were ever solicitous to obtain it: many even succeeded to make it hereditary. In German the officer is called *kastvogt* or *schirm-vogt*, which in some Latin muniments is sometimes rendered *castaldus*, but more commonly *advocatus*. The words *advocate* and *advocacy* are hence adopted in this work, though by no means the most appropriate terms. Warden, provost, or patron, would perhaps have been less exceptionable. The cities and free states, in their infancy, accepted likewise of such protectors, who afterwards often became oppressors. The *vicedomini*, *vidames*, or *surrogates*, were lay officers of a somewhat similar though inferior nature. They administered the civil jurisdiction of the whole, or a part of a bishopric. This office also often became a permanent fief of inheritance.

CHAP.  
III.

this duke. Conrad seized the count, and led him to a diet at Strasburg, where, an accommodation having taken place, by which the whole of the Helvetic Burgundy was confirmed to the emperor, he was entrusted with the administration of that province as Imperial Vicegerent,<sup>17</sup> which office continued in his family down to his last descendant.

1152

He was succeeded by his son Berthold the Fourth. The new Emperor Frederick Barbarossa, who, having great projects in contemplation, thought it expedient to court the friendship of this duke, not only confirmed him in his vicarial office, but also added to the Helvetic province the kingdom of Arles, and moreover conferred on him the advocacies of Geneva, Sion, and Lausanne, to which, however, the bishops reluctantly submitted. Willing to promote the security of the people committed to his protection, the duke encouraged the building of towns, which he allowed the inhabitants to surround with walls. He was too magnanimous to take umbrage at a defence which was not immediately derived from his own exclusive power. Friburg on the river Saanen, is the largest city that owes its existence

<sup>17</sup> In his charters he is often stiled *dux*, and *rector Burgundiae*.

to this beneficent policy: the building of Morges, and the restoration of Yverdon, are likewise ascribed to him. Berthold the Fifth, his son, adopted the same maxims; and was confirmed in them by the selfish reluctance of the higher nobility, who saw with a jealous eye, the gradual rise of safe retreats from the power they had usurped. Burgdorf and Moudon are towns of his promotion. But nothing contributed more to his fame than being the founder of the city of Berne, where his memory has till lately been revered as a parent and chief benefactor. He greatly increased the wealth he had inherited from his ancestors, perhaps more by good fortune than by means wholly unexceptionable. He was so powerful that the enemies of the house of Hohenstauffen offered him the Imperial crown, which he declined. He had two sons by a first wife who died infants, some say from poison administered by his second consort at the instigation of the nobles, who reprobated his partiality for the burghers.

Thus ended this illustrious line, than which none has been more beneficial to the countries they governed. Their allodial estates in Helvetia devolved by the marriage of Anne one of the sisters of the last Berthold to the house of Kyburg. The Emperor seized on the cities of

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III.

Berne and Soleure, which were afterwards declared free and imperial; and the Bishop of Lausanne, the Count of Neuchattel, and other neighbouring lords, found means to share some parts of this rich inheritance. The present Margraves of Baden are descended from Herman, a second son of the first Berthold.

Counts of  
Savoy.

The Counts of Savoy, whose descent some genealogists have on slender grounds traced up to the Saxon Widekind, the rival of Charlemagne, were too opportunely situated not to avail themselves of the means that offered to extend their boundaries within the limits of Helvetia. Accordingly they were early possessed of the advocacy of the Bishoprick of Sion, which the Emperor Henry the Sixth, however, unwilling that the important passes of the Valais should be in any hands but his own, retained in an agreement he made with Count Thomas. They had also some secular and perhaps even ecclesiastical authority over the

1128.

abbey of St. Maurice,<sup>18</sup> the Chablais,<sup>19</sup> and the site of the Equestrian colony.<sup>20</sup> They frequently interfered in the contests between the

<sup>18</sup> *Ego Amadeus, Comes, et Abbas S. Mauricii*, occurs in a charter.

<sup>19</sup> This province at that time extended down to Vevay in the Pays de Vaud.

<sup>20</sup> The district of Nyon up to Rolle.

counts and bishops of Geneva, and hence found opportunities to encroach upon the territories of that city; and Count Peter at length, after the extinction of the house of Zæringen, reduced under his vigorous sway all the parts in the Pays de Vaud which the distracted state of the empire could not retain, or were not held by the Bishop of Lausanne. His power, however, was circumscribed by various privileges, both of spiritual and temporal lords and newly established municipalities; and several domains of the Counts of Gruyeres and Neuchattel were dispersed within what were deemed the boundaries of this district.

At the entrance of the Alps, where the river Of Gruyeres. Sanen changes from a torrent into a more placid stream, stands, on a verdant cone rising out of a rich valley, the castle of Gruyeres. The origin of the counts who owned it is lost in the obscurity of obsolete tradition. Their first wars were with the wolves and lynxes; their mode of conquest was by clearing lands and raising habitations. Their settlements extended up to the sources of the Sanen and the craggy path that leads into the Valais; where precipices, cataracts, and perpetual ice and snow, seem to forbid the approach of man. Devout seclusion appears to have been among the first motives that brought inhabitants into this dreary wilderness.

CHAP.  
III.

1134.

1226.

Of Neu-  
chattel.  
1034.

wilderness. The priory of Rougemont gave rise to a long village at the foot of mount Rodomont, where without the most persevering industry the scanty soil would soon be washed down into the torrent. The same counts also founded the abbey of Hautecrest, in a valley where the Alps subside into the less elevated mount Jorat: the Counts of Savoy endowed it with some lands and privileges, dependent on their castle of Chillon. Count Rudolph of Gruyeres granted Bulle, one of his principal towns, to the Bishop of Lausanne: and his son, another Rudolph, purchased an absolution for sacrilege by ample donatives to the church.

Large districts on either side of the lakes at the foot of the Jura,<sup>21</sup> which had formerly belonged to the Kings of Burgundy, were since possessed by Ulrich, a lord of uncertain origin, who bore the title of Count of Fenils, the place of his residence near Erlach on the lake of Biemme, and of Lord of Neuchattel. Berthold his fifth descendant, assumed the title of count of the latter place. These lords appear to have often administered the county of Bipp. They had also frequently the superintendance over the sees of Lausanne and Basle; the latter of

<sup>21</sup> The country about the lake of Biemme, once covered with dusky pines, was called *Nugerol*, perhaps from *Nigra Fallis*.

which

which received from them grants of considerable estates. The advocacy of the rich abbey of Hauterive near Friburg was theirs.<sup>22</sup> Many towns on the lakes, the Aar, and as far as the Sil, owe their origin to them. Many knights, noblemen, and dignified priests, were their retainers. The house branched out in the sequel, and formed the lines of Neuchattel, Nidau, Arberg and Valengin.

CHAP.  
III.

1240.

The Counts of Rapperswyl owned, from times immemorial, the castle of that name, and extensive territories at the upper end of the lake of Zurich. Their domain extended over the forest, up to the summit of St. Gothard; the pass over which, after having rendered it practicable, they wholly commanded.<sup>23</sup> Count Rudolph built a new town of the same name, at the narrowest part of the lake of Zurich, and thereby secured another important pass through Rhætia into Italy. They hence derived much consequence among their neighbours. They had the advocacy over the abbey of Einsidlen, which they had at different times richly endowed. Their estates at length devolved to the house of Hapsburg Lauffenburg.

Rappers-  
wyl.

1091.

<sup>22</sup> Called Altenryf in most of the maps.

<sup>23</sup> They held the castle of Sillinen, and the tower of Gestinen, on the narrow road to the Devil's Bridge, both which they had obtained from the monastery of Zurich, the owner of the valley of Uri.

CHAP.  
III.Tocken-  
burg, &c.

The Counts of Tockenburg were likewise powerful in two adjacent narrow valleys. They owned also the lordship of Uznach in the Gaster, and considerable estates in Rhætia. Their line became extinct in the fifteenth century, and their county fell to the share of the abbey of St. Gallen. The valley on the Rhine, above the lake of Constance, as far as the present confines of Rhætia,<sup>24</sup> belonged to the Counts of Werdenberg. The names of Thierstein, Froburg, Buchek, and near fifty other counts, and those of one hundred and fifty barons, and upwards of one thousand noble families, occur in the annals of these times; many of whose descendants are still extant. Most of them greatly contributed to the first cultivation of the country, and the subsequent establishment of townships; and have since become conspicuous in the struggles of the people for the attainment and preservation of their independence.

2 ECCLESIA-  
STICAL  
LORDS.

When we read in the ancient annals the names of Bishops of Aventicum and Vindonissa, it is reasonable to infer that the Christian religion had gained a footing in Helvetia, so early as the flourishing times of Rome: but all that relates to the church, preceding the days

<sup>24</sup> The Rheinthal, and the county of Sargans.

of Gundioch the Burgundian, is involved in impenetrable obscurity. Since his days we find Prothasius, Superius, and Marius, still occurring with the episcopal title of the restored Aventicum; but the last of these is reported to have transferred that see to the more alluring site of Lausanne. Ample domains and privileges were bestowed upon this see by the princes of the Carlovingian race and the subsequent kings of Burgundy. Hugo was the benevolent prelate who summoned the assembly at Romont which framed and sanctioned the Holy truce.<sup>25</sup> Burcard granted to the see sundry estates near Morat and on the lake of Geneva,<sup>26</sup> and enclosed Avenche with a wall. He had the confidence of the Emperor, and fell in his cause in the battle of Gleichen in Thuringia. Lambert a count of Granson was less solicitous to enrich the bishoprick than to aggrandize the family of his nephew, the Baron of Blonay, to whom he granted all the episcopal rights over the town of Vevay, near which on a hill the castle, from which the baron derived his name, stands on one of the most captivating spots on earth.

CHAP.  
III.Bishops of  
Lausanne.  
590.

1034.

1089.

Amadeus de Hauterive held the bishoprick at the time when Berthold the First of Zæringen

<sup>25</sup> See page 102.

<sup>26</sup> Lutri, Corsiez, Cuilly, St. Saphorin.

obtained

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III.

obtained the Imperial vicegerency in the Burgundian Helvetia, together with the advocacy over this bishoprick. This prelate was held in high estimation by the Duke, and also by the Emperor, and the Count of Savoy, from all of whom he obtained considerable donatives and juridical franchises. He asserted the prerogative of his see against the Count of Geneva, who offered to build a tower on the highest eminence in the city of Lausanne. His award in a cause between his canons and the burghers of Lausanne was deemed so equitable, that the record has been long admitted as a permanent law.<sup>27</sup> He bequeathed two manors to the see; and on his death-bed he summoned the Lord of Aubonne, who withheld some of its lands, to answer for his sacrilegious encroachments before the throne of the Almighty. Landeric de Dornac succeeded, and after him Rogerius, a Tuscan. Both maintained a severe contest with the Dukes of Zæringen concerning the limits of the power of the advocate; during which most of the towers near Lausanne and on the banks of the lake, many of which are still extant, were erected.<sup>28</sup> The feud was not

1158.

<sup>27</sup> *Recognitio Arduicii Præpos. Laus.*<sup>28</sup> At Lucens, Ouchy, Chebres, Courtille, &c.

composed till the extinction of the house of  
Züringen.<sup>29</sup> CHAP.  
III.

The legend of Florentius Bishop of Vindonissa,<sup>30</sup> who is said to have suffered martyrdom early in the fifth century, proves the traditional account of the antiquity of this see. There is better evidence that it was transferred to Constance at the time when Theodobert King of Austrasia, in a war with his brother Thierry, demolished the former city. It became in the sequel one of the most dignified and extensive sees in the Germanic empire, and its spiritual jurisdiction extended far into the Alemannic part of Helvetia; but the vicinity of the abbey of St. Gallen absorbed most of the rich temporal endowments, which otherwise would probably have fallen to the share of this bishoprick. Constance.  
611.

Another legend ascribes to St. Lucius, a son to an ideal British king in the second century, the foundation of the bishoprick of Coire; and to his name is in fact dedicated the oldest church in this ancient city. At the head, however of the better authenticated list of bishops stands Azimius, whose name is found among the prelates who attended the council of Chalcedon. Coire.  
451.

<sup>29</sup> At the Reformation, this bishoprick was transferred to Friburg.

<sup>30</sup> The same Florentius is by Sigebert also called *Episcopus Sedunensis*.

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III.

Paschal, of the family of the Victors, was in the eighth century at the same time bishop of this see and husband to Æsopia,<sup>31</sup> of a noble indigenous family. They and their son Victor who succeeded in the bishoprick, founded the monastery of Catzis, and contributed largely to the cultivation of the valley from whence they derived their origin.<sup>32</sup> Thello was the last bishop of this race, and endowed the see with many and large domains all over Rhætia. To these was added by Charlemagne the highest secular power. Except a son of the Emperor Frederick the First, no advocate appears to have ever interfered with its prerogatives; insomuch that, as may be gathered from many acts of feudal supremacy still in force,<sup>33</sup> the Rhæti could scarce look up to any sovereign but the bishop. He had many contests for the main-

760.

<sup>31</sup> She was likewise called *Episcopia*, and has been stiled *Antistia Curiensis*.

<sup>32</sup> *Tomiliasca* or *Domestica*, perhaps comparatively so called from its vicinity to some of the most dreary spots in nature. In this remote valley, not above five miles in length, are no less than seventeen ancient castles.

<sup>33</sup> The house of Austria to this day hold certain fiefs from the see of Coire, for which they perform, by deputy, the office of cupbearer to the bishop. The office of marshal is appropriated to the family of Planta, who long possessed considerable feudal tenures under the see, chiefly in the Engadine.



tenance of this pre-eminence ; but the Reformation was the blow to which he was at length compelled to yield a great part of his wealth and consequence.

The bishoprick of Sion yields perhaps to <sup>Sion.</sup> none in point of antiquity. After the legendary founders, we find two Bishops of Octodurum mentioned as having attended several councils.<sup>31</sup> The Emperor Charlemagne, and those of his successors who knew the consequence of this important station, thought it more expedient to aggrandize the bishop, than to entrust the command of the passes into Italy to laymen, who would not fail to convert it to the advantage of their families. Even the Dukes of Zæringen, on whom the advocacy had been conferred by the Emperor, and the Counts of Savoy, who had greatly extended their influence in these parts, refrained from contending with the bishop for ambiguous prerogatives. He was constituted Count and Prefect of the Valais ; was authorized, in case of need, to raise forces, to lay on tolls and imposts, and to hold courts, before which he had the right to summon even the free barons within his jurisdiction.

<sup>31</sup> Constantius, anno 497 ; Rufus, anno 540. Octodurum is the present Martigny, and may have been an occasional residence of the early bishops, who at other times are called *Sedunenses*.

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III.  
Geneva.

Proofs are not wanting that the bishoprick of Geneva is of so early a date as the fourth century. The Counts of that name, who, during the feeble reigns of the last Kings of Burgundy, rendered their power hereditary, maintained a constant strife with the prelates, concerning the limits of their respective rights. At one short period when Aymo was count, and Guido his brother held the crozier, not only were the feuds suspended, but many of the unquestionable appurtenances of the church were freely sacrificed to fraternal kindness. Humbert de Grammont, the successor of Guido, claimed the full restitution of all that had been thus alienated ; and, under the authority of a legate, a compromise was made, which has been long considered as the code of laws, in all concerns that related to the rival powers of the count and bishop. Aymo swore fealty to the bishop, as to his liege lord, and was constituted the criminal magistrate of the episcopal jurisdiction ; with limitation, however, that he should try no culprit who had not been officially presented to him ; that he should not reside at Geneva without the bishop's consent ; nor ever resume any fief granted by him to an ecclesiastic, as long as the bishop defended the grant.

The Duke of Zæringen having obtained the Imperial

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III.

Imperial Vicegerency in the Helvetic Burgundy, aware of the importance of the pass of Geneva, conferred the advocacy of that see on Count Amadeus, grandson of Aymo, who had extended his power far along the northern banks of the lake. Arducius of Faucigny was then bishop. He strenuously asserted his prelatie supremacy over the city, and the episcopal domains. After having repelled various daring attempts of the count, he repaired to the Imperial court, exhibited his titles, and obtained an award, which decreed that his see should have no advocate but St. Peter;<sup>35</sup> that he should depend solely on the Emperor; and that whenever this monarch came to Geneva, a three days' litany should be sung for the prosperity of the holy Roman empire. Thus was Arducius confirmed as supreme Lord of Geneva,<sup>36</sup> immediately under the empire: and it had, in a former agreement, been stipulated, that the count should be a faithful advocate under the authority of the prelate.<sup>37</sup>

1162

Arducius was still bishop when Count William, son to Amadeus, fortified his castle on an eminence in the city, and betrayed a disposition to renew the contest with the see. Nantellin

1185.

<sup>35</sup> The patron of Geneva.

<sup>36</sup> *Supremus Dominus atque Princeps.*

<sup>37</sup> *Comes fidelis advocatus sub episcopo esse debet.*

succeeded

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III.


- succeeded the venerable Arducius: he summoned the count before the Imperial court, who, after having made his appearance, and found that the decision was likely to prove unfavourable, absconded, and by this contumacy suffered a severe sentence to be passed against him.
1186. The crusades having about this time engrossed the attention of all Christendom, the bishop suspended the execution of the sentence, and soon after agreed to an accommodation, which was reciprocally confirmed by oaths taken at the altar of St. Peter. He asserted his supremacy: but his princely power began gradually to decline; the people in all these struggles having made considerable advances towards independence, and the emperors also being bent on objects of far greater magnitude than the trivial concerns of this see, and its contentions with the count. Bernard Chabert the
1206. next bishop revived his claims, and insisted upon the execution of the sentence; to enforce which, he called in the aid of Thomas Count of Savoy, who gladly embraced the opportunity of extending his frontiers towards Geneva.
1213. Peter de Sessions, the successor of Bernard, conferred great benefits on the city, and enriched the bishoprick: but he was inconsistent; he neglected the sacred functions of his office, and conducted himself with so much levity and indecorum,

indecorum, that he alienated the affections of the people. Geneva, under so fluctuating a government, would infallibly have fallen a prey to the Counts of Savoy, had not the Dukes of Zæringen interposed their predominant authority. Meanwhile great disorders prevailed in the city, and throughout the country; and the consequence of the bishop, as well as the count, sunk gradually in proportion as the people were left to provide for their own safety. It required no uncommon degree of sagacity to foresee an impending change; but no one could prognosticate what would be the fate of succeeding generations.<sup>38</sup>

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Of Pantalus, a bishop of the Rauraci in the former part of the third century, no better evidence is extant than the legend of the eleven thousand virgins, with whom he is said to have suffered martyrdom. The transfer of the see from the Augustan colony, which is supposed to have been demolished by Attila, to Basle, is ascribed to Walan, about the middle of the eighth century. Waldo and Hatto were two men of distinguished worth, whom Charlemagne preferred to this bishoprick, and employed in many of his negotiations. The latter he sent ambassador to Constantinople, and in-

<sup>38</sup> The bishoprick of Geneva was, at the Reformation, transferred to Annecy, in Savoy.

- CHAP. III.  822. duced him to resign the bishoprick. This see owed its greatest accessions to the Emperor Henry the Second, who rebuilt the metropolitan church, which had been demolished by the Hungarian rovers;<sup>39</sup> and granted to Bishop Adalbert extensive lands and franchises in Alsace, and a castle on the river Birs.<sup>40</sup> The same bishop obtained also from Rudolph, the last king of Burgundy, the abbey of Munster in Grandval, with all its dependencies and privileges. On the extinction of the house of Zæringen, this see obtained likewise the possession of the town of Brisach; which however proved a cause of great contention between the Bishop Henry of the house of Neuchattel, and the aspiring Rudolph of Hapsburg; the latter of whom seized, and the Bishop redeemed it with a large sum of money.<sup>41</sup> The same Henry made also large acquisitions by purchase, and among these the town and castle of Porentrui, which became at the Reformation, and has to our days continued to be, the episcopal residence.

Abbeya.

Among the Scots who, in the early ages of Christianity, inhabited the north of Ireland, were several men of noble birth, who had ad-

<sup>39</sup> The images of Henry and of his Empress Cunigunda, are sculptured over a door of this church. <sup>40</sup> Pfeedingen.

<sup>41</sup> When this bishop heard that Rudolph had been elected Emperor, he exclaimed, "Sit firm, good Lord of Heaven, or this man will drag thee from thy throne!"

dicted

dicted themselves to letters, and, from a love of tranquil contemplation, had withdrawn themselves from all intercourse with their rude countrymen. Columban crossed over to the Hebrides, and founded an abbey on the isle of Jona. Ancient books have lately been found on this island; and here is the greater history of Salust said to have been seen for the last time.<sup>42</sup> Many resorted from this abbey to the celebrated monastery of Bangor; and thence, probably allured by the mildness of a more genial climate, and perhaps by a desire to approach nearer to the first seats of learning, they advanced into Gaul, and, on approaching the Alps, viewed with admiration their rugged Scottish mountains on a far greater scale. Columban, Gallus, Magnus, and nine others, came to a deserted valley among the Vauges,<sup>43</sup> where they discovered some warm medicinal springs. Here they founded a convent,<sup>44</sup> and like the ancient legislators, instructed the people both in religion and agriculture. Brunehaut Queen of Austrasia, resented the admonition Columban gave her grandson Theodoric against the crime of incest, and caused him to be banished. He with his companions withdrew into the Alemannic part of Helvetia. At Tuggen on the

<sup>42</sup> In the year 1526. v. Pennant's Tour in Scotland.

<sup>43</sup> Mountains between Alsace and Franche Comté.

<sup>44</sup> Luxeuil.

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Limmat,<sup>45</sup> and at Bregenz on the lake of Constance they preached the gospel of peace, destroyed the idols of the God Wodan, burnt his temples, and cast the offerings into the lake. The people, exasperated at this profanation of their wonted rites, did not refrain from blows, and compelled the holy men to fly. Gallus crossed over to Arbon,<sup>46</sup> where Willeran, a priest, had been detained by sickness. Columban, with his friend Sigebert, retired into the higher Alps, where having, by paths long after deemed impracticable, reached the top of St. Gothard, they parted. Sigebert descended into a gloomy dell, near the sources of the Rhine. Here he instructed the savage Rhæti, lived in a lonely cave, and cheerfully submitted to all kinds of austerities, provided he might spread comfort and instruction around him. At length he founded the abbey of Disentis, which Placidus, a native, the presidents of the Victor family, and long after the pious Cunigunda, the consort of the Emperor Henry the Second, endowed with considerable estates, revenues and privileges.

Disentis.  
614.

St. Gallen.

Gallus learnt from one of his deacons, who was a huntsman, that in the woods above Arbon lay a small sequestered vale, watered by a brook called the Steinach, and inclosed by steep hills,

<sup>45</sup> *Ad caput Lacus*, near the head of the lake of Zurich.

<sup>46</sup> An ancient castle on the western banks of the lake of Constance.

which joined on to lofty mountains whose snowy summits rose far above the clouds. The saint and his companions instantly repaired to this remote solitude, and near a fall of the Steinach laid out a garden, erected cells, pastured a small flock, fished with nets of their own making, and thus rescued the spot from the wild state of nature. Count Talto, Chamberlain of the Austrasian court, gave them a formal grant of the land. Gallus declined the bishoprick of Constance; and after living ten years in this peaceful retreat, with friends his heart approved, he died at Arbon of a fever. Half a century after his death was founded on this spot the abbey of St. Gallen, under the auspices of Pepin de Heristal, mayor of the palace in France, who placed it under the immediate patronage of the king. Othmar the first abbot established a school, which he annexed to the foundation, and in which the learning derived from the Scots, and a fervent love of science, have been long preserved in an almost miraculous manner. The abbots Waldo, Gosbert, and Harmuth, founded and enriched a library, to which we owe the preservation of Tully's books on the laws, and on the scope of human actions.<sup>47</sup> On this very spot, which Ammianus has described as most dreary and desolate, have his own history

640.

<sup>47</sup> De legibus, et de finibus.

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and the works of Quintilian been preserved by secluded monks. Harmuth transcribed with his own hand the general institutes of erudition.<sup>48</sup> The library contained the Latin grammarians,<sup>49</sup> sundry works on history and geography,<sup>50</sup> and a map of the world. Scots and Anglo-Saxons still resorted to the abbey founded by their countryman; and from them did the monks chiefly imbibe their taste for knowledge. These monks ventured now to discriminate in the canons of the scriptures the books which are of divine origin from those which appear spurious. The Greek language was not wholly neglected by them: and although the study of the ancient poets appeared useless to the hoary fathers, yet the less venerable brethren learnt Virgil by heart, and affected to call their monastery the commonwealth, and their chapter its senate.

Before the more general diffusion of letters no ray of intellectual light had dawned on the Alemannic part of Helvetia but what came from the abbey of St. Gallen; no school was equal to this for all manner of erudition, and, what was then held in high estimation, for vocal music, prosody, and a neat hand-writing. Its strict discipline was admired by the Emperor Conrad, who when on a visit having thrown

<sup>48</sup> Boethius, Martian. Capella, Beda de Nat. rer. et temp.

<sup>49</sup> Priscian. Isidori Etymolog.

<sup>50</sup> Solini Polyhist. Excerpta de Pomp. (Trogo) Orosius.

apples among the pupils, not one of them turned away his eyes from the book before him. Thus are the Romans said to have encamped in the midst of orchards, and to have left the ripe fruit untouched. One of the most eminent men educated in this seminary was Eckard, who at an assembly at Mentz met six bishops who had been his schoolfellows. Hedwig Duchess of Suabia, offered to grant an estate to the abbey, on condition that he might be allowed to reside at her castle at Hohentwiel. She was highly accomplished and so revered, that the most solemn oath in Suabia was, 'by the life of Hedwig.' Eckard excelled all his contemporaries in elegant endowments: his manners were captivating, his language impressive, his eyes piercing and persuasive, his person tall and comely: he frequently attended Hedwig; and they read the ancients.<sup>51</sup> Solomon, of the illustrious house of Ramschwag in Thurgau, was another bright ornament of this school and abbey, over which he presided near thirty years. He was at the same time Bishop of Constance, and Abbot of Pfeffers and of ten other monasteries. He was eminently distinguished for mental endowments, learning, and a due sense of the decorum that became his rank and station. He was in the confidence of five successive emperors and many princes and pre-

<sup>51</sup> Eckard wrote a Chronicle of his abbey, and died in 996.  
lates,

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ates, to whom his counsels and lively converse had become indispensably necessary. Keonwold a bishop came ambassador from Athelstan King of England, and in the name of his sovereign entered into a friendly compact with this abbot. His sermons drew floods of tears ; while no one at the Emperor's table sported with more wit and refined urbanity. While young he had been too much beloved by the daughter-in-law of a nobleman who had entertained him in his castle : she bore him a daughter, who was so proud of such a father, that she rejected the addresses of the Emperor Arnulphus, and afterwards married into the house of Kyburg. He was envied by the monks, but they could not withhold the admiration due to his exalted merit. He was splendid and hospitable. On the first day of each month he entertained his monks : at Constance he kept open table for the citizens and clergy. He had a massy cup of gold, richly inlaid with gems ; a brass bason, wrought with figures of exquisite workmanship ; and large tables of ivory. The Imperial commissaries of Suabia,<sup>52</sup> Berthold and Erchanger, saw with jealous eyes the influence he had obtained, and the ample donatives that were heaped upon him. They insulted him ; and coming to an open rupture they seized his

<sup>52</sup> The office of Duke of Suabia had been suspended since the time of Pepin.

person,

person, and conveyed him to a castle where Bertha, the wife of Erchanger, was then residing. Bertha was struck with terror when she heard of the daring outrage. She hastily prepared a room and an altar for the captive bishop, came in tears to meet him, and prayed for the kiss of peace. Meanwhile the friends, kinsmen, and retainers of the bishop assembled, and meeting with the commissaries in a wood, secured them. The garrison of the castle hereupon surrendered, and Solomon came forth, leading Bertha by the hand, whom, together with all her property, he immediately restored to her relations. The commissaries were impeached, condemned, and publicly executed at Mentz; and Suabia was again committed to the government of a duke.<sup>53</sup>

The abbey had, by such accumulated grants, been so much aggrandized as to excite, when under an enterprising abbot, the jealousy of all its neighbours. The Abbot Ulric of Eppenstein, son to a Duke of Carinthia, found himself at once assailed by the Duke of Zaringen, the Counts of Kyburg and Tockenbourg, all the great Lords of Thurgau, a Chief from Upper Rhætia, and all the vassals of the Count of Nellenbourg from the opposite side of the Rhine. Being overpowered, he fled to Agen on the Ga-

1083.

<sup>53</sup> Solomon was Bishop and Abbot of St. Gallen from 891 to 919.

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(Appen-  
zel.)

ronne ; and his monks, rather than forfeit their allegiance to their spiritual father, withdrew into the remote Alpine valleys above St. Gallen ; in one of which, among enormous precipices and foaming torrents, a former abbot had converted an humble cell, raised by the shepherds for their devotions, into a more ample edifice, which has since become the parochial church of Appenzel.<sup>54</sup> Ulric, watching a favourable opportunity, returned, defeated his enemies, and received full compensation for the depredations committed on his abbey. He combined with a considerable share of the learning of his times, and at least the semblance of piety, such natural endowments as would infallibly, in ancient times, have placed him at the head of a Greek republic. He was forty-six years Abbot of St. Gallen and Patriarch of Aquileia ; and though surrounded by enemies, excommunicated by the Pope on account of his firm adherence to the Emperor, at constant variance with the advocate of his abbey, and incessantly harassed by Gebhard of Zæringen Bishop of Constance, who carried fire and sword to the walls of the monastery, whilst his brother, Berthold the Second, invaded the very choir of the collegiate church, he nevertheless preserved the love of his people, and secured the admiration of posterity. Undaunted in the midst of repeated misfortunes,

<sup>54</sup> Abbatis Cella.

he could never be brought to sue for peace; nor did his successes ever induce him to commence a war, or, contrary to the usual practice of prelates, to provide for the aggrandizement of his family. Such were the men who occasionally presided over this venerable abbey, and whose examples the historian may surely dwell upon with complacency, since they so rarely occur in the annals of human nature.<sup>54\*</sup>

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Fridolinus, another illustrious Scot from the north of Ireland, had, before the arrival of Gallus, already founded a ladies' monastery on the island of Seckingen, in the Rhine, near the second cataract below Shaffhausen.<sup>55</sup> Clovis the First, King of the Franks, endowed it with considerable lands in its vicinity; and Ursus and Landulphus, two noblemen of large property, granted to the foundation a valley in Rhætia, near the sources of the Linmat, which, from St. Hilary, to whom Fridolinus consecrated a chapel in one of the least savage parts of the vale, obtained, by corruption, the name of Glaris. This country became henceforth a depend-

Seckingen.

(Glaris.)

<sup>54\*</sup> Those who may wish for more ample intelligence respecting this eminent foundation will find abundance of information, partly true and partly legendary, in the Annals of Hepidanus, Radbert, Eckard, Burkard, and other abbots and monks of St. Gallen, collected in the first vol. of Goldasti Rer. Alaman. Scriptor.

<sup>55</sup> Lauffenburg. The abbey was founded about the year 490.

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ence on the abbey of Seckingen. There are traces of its having been cultivated by the Romans: but after the decline of the empire, when foreign invaders spread desolation throughout the land, the deserted inhabitants forsook their dwellings, and fled into the higher Alps, where they had less to fear, from bears and wolves, than from the ferocity of unrelenting man. A reverend abbess at length repaired the evils which had been inflicted by the rage of conquering warriors.

Zuric.

Whilst pious men from Ireland were thus converting the Helvetii to Christianity, and their forests into fertile lands, two noble Franks, Rupert and Wiccard, lived in the Alemannic part of Helvetia; the former being a powerful layman, and the latter a priest. Their joint patrimony, for they were brethren, extended over mount Albis, and near where the Limmat issues out of the lake of Zuric. Here a number of traders, who bartered the products of Italy, France and Germany, had, in the earliest times, formed an establishment of some magnitude, which since the fall of Rome had, like all other works of human art, been abandoned to desolation. A thick forest had succeeded to the temples, amphitheatres and dwellings of those early times; and all around was now become a lonely barren desert. Rupert at length built a minster, on an eminence near the efflux of the river,

river, in which a chapter of regular canons, under the direction of a dean, were bound to praise God seven times each day and night; and which he endowed with lands on the neighbouring mount Albis, and several manors in other parts of Helvetia. An establishment like this never fails to attract a neighbourhood; and this place appears accordingly to have soon risen to considerable notice, since we find that Charlemagne thought it worthy of a temporary residence. He added to and embellished its minster, decorated the town with stately edifices, and bestowed on both extensive privileges and immunities. The amenity and conveniences of this favoured spot invited a fresh concourse of inhabitants, and gave rise to another religious establishment, which in the sequel obtained ample estates and high prerogatives in the town, and various parts of the country. Hildegard and Bertha, daughters of Lewis the Germanic, founded on the side of the Limmat opposite to the minster a monastery for noble ladies, on which the Emperor, their father, conferred the manerial rights in Zurich, the forest on mount Albis, and the valley of Uri extending up to St. Gothard. These domains were administered by a steward appointed by the abbess or the chapter: and, except the paramount but remote authority of the Emperor, none was equal in these parts to that of the abbess. When, however, the advocacy of both

chapters

(Ladies' monastery.)

839.

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 III. of Zæringen, the secular was often found to  
 1097. prevail over the ecclesiastical power.

Muri. Radbod, the builder of the castle of Haps-  
 burg, was married to Idda the daughter of a  
 Duke of Lorrain, who was not so deaf to the  
 voice of justice and humanity as her obdurate  
 lord. Her jointure-house was situate in the  
 village of Muri on the Aar, whose inhabitants  
 had repeatedly, but in vain, sued for redress.  
 The unmerited severity the count exerted to-  
 wards them, and the perpetual and vexatious  
 feuds that subsisted between him and his breth-  
 ren afflicted her benevolent heart, and so greatly  
 alarmed her piety, that she resolved to offer  
 some atonement to heaven, by dedicating her  
 house to St. Peter, and causing a number of  
 1027. monks to be devoted to its service. So ardent  
 was her zeal, that she caused two hundred work-  
 men to be employed in the construction of the  
 necessary edifices; and thus rose, in a very short  
 time, the abbey of Muri, which has since arriv-  
 ed at great eminence among the religious foun-  
 dations in Helvetia. Reimböld, its first abbot,  
 a native of Soleure, purchased two bells at Stras-  
 burg, and procured transcripts of the Bible,  
 hymns, homilies and legends, the books of Ho-  
 mer, Æsop's moral apologues, some of Ovid's  
 poems, the histories of Sallust, and other valu-  
 able works, which, notwithstanding the subse-  
 quent

quent decay of literature, have been handed down to us with less taste indeed and judgment, than learning and devotion. The monks established a school, where they taught the rudiments of science; besides which, and the attendance on their sacred functions, they superintended the cultivation of their lands, of which they held extensive tracts in the adjacent villages, and the Alps. The abbey was at first exempted from the advocacy of the house of Hapsburg; but Count Werner prevailed on the abbot, by gifts and specious pretences, to confer that office on his son Otho, in whose lineage it continued through many generations. 1096.

Bertha, the pious and munificent Queen of Payerne. Burgundy, lived at a period when, the millenium after the Incarnation drawing near, men looked for the approaching consummation of time, and the final dissolution of the universe. She, like many others, resolved to secure an inheritance in heaven, and founded an abbey at Payerne, to which, with the consent of King Conrad and Duke Rudolph, her two sons, she granted her whole dower, all her lands in these parts, all her male and female servants, and several adowsons. She obtained for her foundation, a total exemption from all secular jurisdiction, and directed that the monks should have the free choice of their prior,<sup>56</sup> and, jointly with 962.

<sup>56</sup> The dignity of abbot was vested in the prelate of Clugny; the monks of Payerne being derived from that abbey.

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the prior, of their advocate: and, because without arms it is not possible to resist men addicted to violence, she cursed as follows: ‘Grant, O  
 ‘ holy apostles, and ye glorified saints, Peter  
 ‘ and Paul, and thou who, seated on their  
 ‘ throne, dost now rule over all the bishops of  
 ‘ Christendom, that whoever shall invade this  
 ‘ sanctuary, may be expelled the church, and  
 ‘ struck out of the book of life! May his por-  
 ‘ tion be with those who say to the Almighty,  
 ‘ Avaunt! be far from us! May he dwell with  
 ‘ Dathan and Abiron, whom the earth swallow-  
 ‘ ed up into its deep abyss! May his body, dur-  
 ‘ ing life, suffer the most excruciating torments  
 ‘ of hell, like Heliodorus who was scourged by  
 ‘ angels, and Antioch who was devoured by  
 ‘ worms!’ By subsequent liberalities this abbey  
 obtained the manerial jurisdiction, a mint, and  
 a market in its own town, the stream that joins  
 the lakes of Morat and Neuchattel, the town  
 of Colmar, and several estates in Alsace. Its  
 church was built of materials taken from the  
 ruins of Aventicum. It is now a granary, which  
 retains, of its former religious awe, only the so-  
 lemn toll of a great bell.

St. Mau-  
rice.

Among all the religious houses in Helvetia,  
 none boasts of so remote an antiquity, as that  
 which nearly fills the narrow pass where, be-  
 tween steep and lofty precipices, the Rhone  
 gushes forth from the Valais, and enters the  
 swampy

swampy plain, formed no doubt by the deposit of its retarded current. The foundation of this abbey is ascribed to Sigismund, king of the first realm of Burgundy,<sup>57</sup> who dedicated it to St. Maurice and his companions, the holy martyrs of the Theban legion. He endowed it with corn fields and vineyards, in the Pays de Vaud, in the plain of Geneva, and as far as Vienne on the Lower Rhone; with the town of Salins in Upper Burgundy; and several woods and pastures in the Valais, and the vale of Aosta. No proof is extant that he conferred on it any temporal jurisdiction: had he intended such a prerogative, the lands he granted would not probably have been so widely scattered. The monks, thus richly portioned, gradually relaxed from their strict discipline, and the habits of frugality and industry, that became them: they preferred hounds and hunting to the duties of the choir, and the inspection of their domestic concerns; and each lavished individually the revenues of the convent. Amadeus, Count of Savoy, who had now acquired a great ascendancy in these parts, undertook to correct these disorders. He caused all the property that had been alienated to be restored, introduced regular canons of a strict reform, and assumed the authority, if not the office of advocate, which he well knew how

1136.

<sup>57</sup> He probably only restored it, since the name of St. Severinus, as abbot of this monastery, occurs so early as the year 506.

CHAP.  
III.

greatly it would avail him in his views upon the Pays de Vaud.

Engelberg. The carnage and desolation that spread all over Helvetia during the inveterate wars between the Guelphs and Ghibelins, prompted many nobles, weary of incessant toils and dangers, and worn down by calamities, to seek refuge in the lonely cells of monastic seclusion. Many of them became founders,<sup>58</sup> and afterwards submitted to the discipline they had themselves established. One of these, Conrad Baron of Seldenburen, sought a remote and obscure solitude, at the farther extremity of a deep narrow dale, and there built the abbey of Engelberg, to which he transferred considerable revenues from his estates in Thurgau, and placed it immediately, under the apostolic see. The Lords of Bonstetten, and other knights, afterwards considerably enlarged its domain. The summit of mount Titlis, which rises behind the abbey, glitters with the purple beams of the setting sun, long after the surrounding pinnacles are seen only through the faint glimmer of the departing twilight, and the monks in their cells beneath are involved in perfect darkness. Wild rugged paths lead to this abbey, from Uri and Oberhasli, and a broken road along the side of a torrent between shaggy precipices is its only com-

1120.

<sup>58</sup> Upwards of twenty convents were founded between the years 1060 and 1140.

munication with Underwalden. Here Conrad himself obeyed his abbot with humble resignation; and hither many pious men resorted to pray for the afflicted world in a deep solitude, where none could see them but the all-seeing eye.

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No place of religious worship was ever held in greater veneration by the Helvetii, than the sanctuary of Our Lady of the Hermitage, still towering<sup>59</sup> on the heights between Schwitz and Rapperswyl. Meinrad, son to Berthold, a Count of Hohenzollern, had been educated in the monastery of Reichenau,<sup>60</sup> where he had early imbibed a taste for a recluse and abstemious life. In quest of greater hardships and solitude, he resorted to different spots, till then unfrequented and perhaps unknown, and at length arrived at a dark forest on mount Etzel, where he built a hut, and lived many years in profound abstraction, until he was assassinated by robbers, who coveted his scanty property. Other pious ascetics resorted to this sequestered spot, but no additions were made to the lonely cell, sanctified by the austerities of Meinrad, till Gregory, a reputed son of a king of England, and brother-in-law to the Emperor Otho the Great, after paying homage to the tombs of the

Einsidlen.

861.

<sup>59</sup> Perhaps demolished since this was written, by order of a French general.

<sup>60</sup> An opulent abbey, founded in 724, on a beautiful island in the lower part of the lake of Constance, where young men of rank were wont to be educated.

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III.

apostles at Rome, sought this retreat, and there resolved to await, in the practice of abstinence and piety, the release from the bonds of carnal thralldom. Others of noble birth, repenting the transgressions of their youthful days, perhaps satiated with the enjoyments of earthly pleasures, or seeking refuge from the calamities of life, assembled round him, and with the aid and sanction of Otho and his empress, converted the humble cell into a stately monastery.<sup>61</sup> Its miraculous image of the Virgin Mary soon became celebrated in distant parts, and drew swarms of penitent offenders. The surrounding desert was now cultivated, and stocked with large herds and flocks for the supply of the multitude of pilgrims who came for absolution. The count of Rapperswyl surrendered his castle to the Blessed Virgin, but obtained the advocacy, which continued in his family till it devolved to the house of Hapsburg: and many freemen, firmly relying on her inviolate protection, preferred her service to their former independence. Various were, in these mixed times of violence and imbecility, of genuine piety and superstition, the motives for monastic endowments. Many looking for the protection, and security of their remaining property, granted

<sup>61</sup> Benno and Eberhard are in the list of abbots before this Gregory, whom the legends report to have been a brother or son of King Athelstan. Eberhard appears to have only built a chapel near the cell of Meinrad.

their patrimony when they devoted themselves to a sanctuary. A fond mother offered donations when her darling son had read his first epistle; a youth when he departed for a distant seminary; a knight when he went forth to the holy wars; and all when struck with terror at some fatal event, or with remorse for deeds of darkness. Large districts and extensive forests, without either name, or precise limits, and ample manors, came thus into the possession of this abbey. Nor did the Pope withhold his spiritual immunities and high prerogatives. Neither have the ferocity of barbarous invaders, or any period of prevailing irreligion, till of late, diminished the concourse of devotees who daily resorted to this sacred image, the number of ample gifts continually offered at her shrine, or the multitude of miracles she would never have ceased to perform as long as faith was not wanting to credit their reality.<sup>62</sup>

<sup>62</sup> Most of the prelates of the abovementioned sees and abbeys have at different times been raised to the rank of either actual or titular princes of the empire. The number of the other religious foundations in this country, some of them of no inconsiderable importance, is too great to be here recorded. The princely abbeys of noble ladies' at Schennis in the Gaster, and of Benedictine monks at Pfeffers in the county of Sargans; those of Beron minster in the Argau, of Bellelay in Grandval, of St. John in the isthmus between the lakes of Neuchattel and Bienne, of Hauterive in the canton of Friburg, of Romain-Moutier and Bonmont near Geneva, are among the most considerable. The more important ones of Lucern and Shaffhausen will be mentioned together with the origin of those cities.

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III.

§ CITIES.]

932.

Few had, until the tenth century, been the aggregate habitations of men in these Alpine regions and their adjacent valleys. Castles and convents had indeed long since attracted to their vicinity the fixed abodes of some dependents, and given rise to villages or towns; but few of these were as yet adorned with municipal honours and jurisdictions, or secured either by works of defence, or disciplined garrisons. The bulk of the nation, whether freemen or vassals, were husbandmen or shepherds, who dwelt on their scattered farms, and assembled when their lords either spiritual or temporal had a claim to assert, or an insult to avenge. The Emperor Henry the First, the Fowler, at a time when the Hungarians invaded the empire and laid waste the open country on the Po, the Rhine and the Danube, is said to have first acknowledged the expediency of establishing an intermediate class of men in fortified towns, and of committing to them the defence of their newly raised walls. Numbers of peasants of free condition, but spiritless and feeble, were now drawn forth from their abject obscurity, and roused into energy by the consciousness of their collective force. Some of higher ranks, allured by the security these walls insured to their persons and property, and the affluence of the necessities and conveniences of life that offered within those precincts, gladly joined the rising communities; whilst

whilst many who practised manual arts, saw the advantage of co-operating skill, of a combination of various trades, and the proximity of markets, and readily increased the population. Hence arose the order of burghers or citizens, on which Henry conferred ample privileges, which soon rendered it the source of all industry and traffic.

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The advantages Zurich derived from its situation, its imperial franchises, and the mildness of its ecclesiastical government, had given it some priority in the origin of cities. Being a second time become the emporium of all the commerce between Italy, Rhetia and Germany, it was soon enlarged by a rapid concourse of merchants, toll-gatherers, inn-keepers, artisans, watermen, and (the Emperor having established here a court of judicature for Lombardy,) of magistrates and lawyers of different nations. On an eminence stood an imperial palace. The two monasteries were surrounded with meadows, vineyards, and the dwellings of many nobles and freeholders, decorated with all manner of rural embellishments. The date of its first walls is not recorded.<sup>63</sup> Dams were raised to secure the houses against the inundations of the torrent Sil, which falls into the Limmat at

<sup>63</sup> Some have ascribed them to the Emperor Charles the Gros, towards the end of the ninth century: others do not date them higher than the first Otho, about the middle of the tenth century.

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a small distance below the town. The count of the district held his court in the palace, or on the open area before the minster; always in the presence of the people, who, unless an appeal were made to heaven, confirmed or rejected the sentence: every man was thus ultimately tried by his peers. The few written laws then extant were drawn up in the plainest terms. An oath on the relics of the saints was considered as decisive in all cases; but men of unblemished character were (as a reward of virtue) credited on their bare assertion. The Emperor often resided here: and the Bishop of Constance, after he had been consecrated in his metropolitan church, used to hold a visitation at Zurich. Its rising prosperity roused in it a sense of dignity, and spirit of independence, which were soon communicated to most of the cities in Helvetia, and on the Rhine.

Arnold of Brescia, a favourite disciple of Peter Abelard, took refuge here from the persecutions of orthodoxy. He had learnt from his master to attempt the illustration of points the most abstruse and difficult, by a fanciful novelty of argument and diction. He taught ‘that God  
‘is all: that the whole creation is one of his  
‘single thoughts: that the Universal Father,  
‘the Redeemer, and our souls, are one; and that  
‘sin is the disjunction of this unity: that our  
‘terrestrial bodies are the punishment of sin:  
‘that

‘ that where there is love there is no sin : that  
 ‘ we must shake off the bonds of inert matter,  
 ‘ and soar up to the source of light, by which  
 ‘ means man may become deified, and his soul  
 ‘ will be converted into mere contemplation.’  
 These mystical schemes of theology accorded  
 with the presumption of many, who (an error  
 common in all times) were for adapting the in-  
 scrutable views of Providence to our narrow  
 comprehension; and many sought for perfection  
 by a total dereliction of all the comforts of life,  
 and the duties of society, on which they looked  
 down with compassionate disdain. They court-  
 ed persecution, and became obnoxious to every  
 ruling power. But Arnold, moreover, arraign-  
 ed the depraved manners of the clergy, and their  
 immoderate love of wealth and pleasure. He  
 maintained that the ecclesiastical ought at all  
 times to be subordinate to the secular power;  
 and even dared to assert that kingdoms and  
 principalities are not ultimately the property of  
 the church. Such doctrines could not be long  
 tolerated; and Arnold at length was blessed  
 with the crown of martyrdom for which he  
 panted.<sup>61</sup> But the people of Zurich, and of many  
 neighbouring cities, relished and countenanced  
 those of his tenets which checked the progress  
 of spiritual thralldom. They were all disaffected

<sup>61</sup> He was hanged and burnt at Rome, and his ashes were  
 scattered in the Tyber.

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to the Papal power ; no doubt because, in addition to the speculative principles of Arnold, they felt that the authority of their prelates was an insuperable bar to their darling independence.

Shaffhausen.

A cause similar to that which had brought Zurich into early notice collected, at a time of which no record is now extant, some contiguous habitations near the great cataract of the Rhine, where the navigation of the river being interrupted, the assistance of the villagers was necessary for conveying goods across the fall.<sup>65</sup> Inn-keepers, butchers, bakers, and various mechanics, soon found this a place of advantageous traffic ; and, because the surrounding woods were infested by robbers, many nobles and free-men of the neighbouring country took shelter behind the twelve towers that had been built for its security. Everard Count of Nellenberg, the chief proprietor of the rich lands in the vicinity, built near it the convent of St. Saviour and all Saints, and placed in it an abbot, with twelve monks of the Benedictine order. Pope Leo the Ninth in his way to Germany consecrated the altar. Besides ample estates, from the Black Forest to the Rhatian Alps, the founder endowed it with various tolls and taxes

1052.

<sup>65</sup> *Shaffhusirun* (ship or boat-houses) occurs in records of the year 800. *Ascapa*, the ancient name of this town, was no doubt derived from *scapha*, a skiff. A ferry at this place could not well be dispensed with.

within the town; and after a pilgrimage to St. James of Compostel, died a monk in his own abbey. Burcard, the son of Everard, exempted it from the advocacy of the house of Nellenberg. It became an asylum for persons accused, who sued in vain for justice; a sanctuary in times of war and devastation; and the friendly guardian of an accumulated and prosperous population.

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III.  
1080.

Basle was at one time the most considerable, Basle. and is perhaps still the largest city in Helvetia; nor does it yield to any in point of antiquity, since, when Clovis transferred the episcopal see of Augusta Rauracorum to this new metropolitan seat, it must have already acquired some consequence. While the bishops were grasping at power and spreading their domains, the burghers were not unmindful of the privileges they considered as their inheritance. They claimed an equal share with the prelate in the administration of their public concerns. They formed themselves, according to their respective trades, into a number of guilds, corporations of modern date, which sometimes promote the common interest, but more frequently contract the views of the members who compose them. The government was vested in a senate, over which the bishop presided, and which consisted of four members of the equestrian order, eight of the more considerable citizens,<sup>66</sup> and twelve chosen out of the guilds.

<sup>66</sup> Notables.

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III.

They were named annually on a stated festival by eight electors appointed by the bishop, two out of the chapter, two of the equestrian order, two citizens of note, and as many out of the guilds. The bishop also appointed the wardens of the guilds, and confirmed the burgo-master. Thus all ranks participated in the administration; and hence arose an equipoise, which ultimately insured the welfare of the community.

Soleure.

Waving the traditional tales which carry the antiquity of Soleure up to the times of Abraham, and even of a son of Ninus,<sup>67</sup> we shall trace it no higher than the mention made of it in the Notitia, where, under the name of *Castrum Salodorense*, it is described as a place of strength in the times of Honorius. Monuments are not wanting which seem to ascribe to it some degree of splendor; but what part of its ancient edifices may have escaped the ravages of the invading barbarians it will now be in vain to enquire. A legend brings the two saints, Ursus and Victor, of the Theban legion, to this spot to suffer martyrdom; but better authorities inform us that Bertha, the mother of Charlemagne, built on it a church, which she dedicated to the

736.

530.

<sup>67</sup> The following barbarous distich is inscribed on a very ancient tower in the middle of this city.

In Celtis nihil est Solodoro antiquius, unis  
Exceptis Treviris, quarum ego dicta soror

former of those saints; and that the good Queen Bertha of Burgundy added to it a community of regular canons, which she endowed with considerable revenues. Henceforth Soleure grew into a town, under the dominion of the last kings of Burgundy, from whom it passed to the empire, and remained annexed to it, under the vicarial authority of the Dukes of Zæringen, until the extinction of that beneficent line.

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III.

1032.

The fame acquired by the fifth and last Ber- Berne.  
thold of that illustrious race, by the foundation of the city of Berne, and the motives which prompted him to favour the exertions of the people, to secure themselves against the oppressions of the rapacious counts, have already been mentioned in a former page.<sup>68</sup> Soon after he had defeated his emulous peers in one of the high valleys among the Alps,<sup>69</sup> he gave charge to Cuno de Bubenberġ to surround with a wall and ditch a hamlet, on a lofty peninsula, formed by the river Aar, which winds rapidly in a dell beneath. He availed himself of the advantage of this remote yet central situation, amidst fertile pastures and extensive woodlands, to secure himself a safe retreat from his enemies, without giving umbrage to his own adherents, few of whom resided in its vicinity. The success of this new establishment remained some time uncertain: the air was sharp, the country around

1191.

<sup>68</sup> See page 99.

<sup>69</sup> Grindelwald.

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it wild; but the protection it held out to the less opulent nobles, and the freemen of the adjacent country, gradually attracted numbers of them, and Berne became in a few years a town of note. The Lords of Egerdon, Bubenberg, Mulleren and Erlach, appear among the first of the illustrious founders. Burghers also came from Zurich, and from Friburg in the Brisgau, and introduced the spirit of municipal order, and a consciousness of their collective importance. Bent on lucrative employments, they gladly entrusted the government to the hands of the nobles. Those states will thrive best where each individual contributes, not his political or legislative abilities, which, for want of preparatory knowledge and of the means of accurate information, must ever be defective, but his professional skill in his peculiar craft. They approved of an avoyer and a senate.<sup>70</sup> These governed with so much wisdom, and, when insulted, avenged their cause with so much firmness and intrepidity, that not only the counts, but even the emperor acknowledged a marked deference for this rising community.<sup>71</sup> It has

1218.

<sup>70</sup> This senate was afterwards called the Supreme Council, and consisted of two bodies, the little council (or senate properly so called,) and the great council.

<sup>71</sup> A letter of the Emperor Henry the Sixth to the city of Berne, soon after its foundation (1198) is extant, by which he places the convent of Interlachen under its protection.

repelled

repelled the attacks of several powerful armies of the Counts of Hapsburg and of the empire : and it was reserved for our days, to see it yield for the first time to the unprovoked assault of a perfidious foe.

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The same motives that raised Berne to the rank of a fortified and ultimately to an independent city, had, at an earlier period, already converted the village of Friburg, on the river Sanen, into a populous township. This also was intended by Berthold the Fourth of Zæringen, as a refuge for the inferior nobility of that district : and he was warmly seconded in his intentions by many barons,<sup>72</sup> and as strenuously opposed by the more powerful counts. The burghers, while they were building their walls, found it necessary to hire soldiers to guard them against the inroads of their hostile neighbours. So little are men agreed concerning the peculiar form of government which can best insure the prosperity of a state, that in this rising community freedom and felicity kept pace with inequality, and a nice discrimination of ranks.<sup>73</sup> The nobles fondly asserted their pre-eminence even after death ; and obtained permission from the bishop to be buried in the

Friburg.  
1178.

<sup>72</sup> Blonay, Montenach, Stavagel, &c. who signed the foundation charter.

<sup>73</sup> The records make frequent mention of *Barones*, and *Burgenses Majores* and *Minores*.

## CHAP.

## III



neighbouring abbeys, that their ashes might not be mingled with plebeian mould. Six centuries have not yet united the Germanic and Burgundian races into one people: the inhabitants near the river still use the German tongue, while those in the upper town speak only French; few of either district being equally versed in both languages. The city obtained from the Duke of Zæringen a district of near eighteen leagues in circumference; and it vied with the monks of Hauterive, in the improvements it introduced in its domain. It received a government not unlike that of Berne, and has maintained it with little variation to our days.<sup>74</sup>

Lucern.

The torrent Reuss, issuing from the summit of mount St. Gothard, rushes down impetuously through a deep narrow chasm, and over many successive and tremendous precipices, into a long winding lake, which skirts the northern margin of the higher Alps.<sup>75</sup> This wide expanse, surrounded by a sublime variety of

<sup>74</sup> The district usually assumed the name of *La vieille Republique*.

<sup>75</sup> Before this lake could receive its name from Lucern, or the Four Cantons, which it now bears, it was called the *Waldstetter see*, no doubt from the extensive forests that surrounded it. The name of *Forest Lake*, and of *Forest Cantons*, appropriated to those of Schwitz, Uri, Unterwalden, and Lucern, which border on this lake, will be occasionally adopted as most discriminating and convenient.

towering summits, craggy rocks, verdant and woody hills, fertile dales and luxuriant pastures, a scene which has ever been viewed with awe and admiration, terminated at its lower extremity, before the industry of man had corrected nature, in a swampy marsh, over which its waters poured in many spreading shallows, till resuming a contracted channel, and the name they bore before they gushed into the lake, they hastened in an undeviating course to the river Limmat below Zurich. No sooner had traders opened a communication with Italy over the St. Gothard, than they saw the expediency of effecting a secure navigation over this fenny level. They caused a strong dam to be thrown up below the swamp, of a proper height to stem the current, and raise the level of the lake, so as to retain a sufficient depth of water over the whole morass to float the vessels they employed in the conveyance of their merchandize. An enterprize of such magnitude could not have been accomplished without the co-operation of many workmen, labourers and artificers. These would find it convenient to fix their habitations on the spot; and thus arose a town which, under the name of Lucern,<sup>76</sup> arrived in time at a pre-eminent rank

<sup>76</sup> It is no improbable conjecture that a light house (Lucerna) had been built in some part of this town, for the se-

CHAP. among the members of the Helvetic Confede-  
 III. racy.

Wiccard, the brother of the founder of the minster at Zurich, instituted a monastery in this place, which he dedicated to St. Leodigard; and endowed it with several villages on mount Albis. He was joined by Alberic, another nobleman of fervent zeal and austere manners. They lived long together; and though imperfectly acquainted with human nature, and unable to appreciate and develop their own mental powers, yet their motives were laudable, and their exemplary piety softened the rude manners of the people. The abbey of Murbach in Alsace appears, ever since the time of Pepin, to have been possessed of the higher jurisdiction over this town and monastery, with the exception however of many franchises and privileges. Of the grant to that abbey no traces are known to be extant.

Recapitu-  
 lation.  
 1218.

Frederick the Second sat on the Imperial throne when Berthold the Fifth of Zæringen was buried with his shield and helmet,<sup>77</sup> and the immediate government of Helvetia reverted to the empire; but this government was

curity of the navigators, from whence it may have derived its name.

<sup>77</sup> The custom of those times, when the last of a noble line was carried to his grave.

NOW

now limited by numberless subordinate and yet refractory authorities. The fiefs of the counts were extensive and almost independent. Kyburg possessed the greatest part of what became since the canton of Zurich, the counties of Lenzburg and Baden, the country of Zug, and the landgraviate of Thurgau; and Anne, one of the heiresses of Zæringen, had added to these wide domains the county of Thun and other allodials in the Burgundian Helvetia. The Counts of Hapsburg ruled over the part of Argau which did not belong to the Counts of Froburg and Lenzburg: they held also the landgraviate of Buchsgau, between the Aar and the Jura, containing the county of Bipp, the jurisdiction of Falckenstein, Bechburg, Olten, and other seigneuries. The Counts of Tockenbourg and Rapperswyl occupied in Thurgau all that was not possessed by Kyburg and the abbey of St. Gallen. The Counts of Neuchattel, Gruyeres, Savoy, Thierstein, Buchek, Homberg, Werdenberg, Sargans, Rothernburg; the Barons of Granson, of Wissenberg, Lassara; the Lords of Wadishwil, Regensberg, Brandis, and many others, though they acknowledged the paramount authority of the Emperor, yet availed themselves so dexterously of the distractions of the empire, as to become almost independent.

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III.

The dignified clergy were no less richly endowed. Besides large temporal possessions and jurisdictions, the spiritual authority of the bishops pervaded the whole country. The Abbot of St. Gallen owned the chief part of the Rhinthal, and of the country of Appenzel. Seckingen was sovereign in the valley of Glaris. The nunnery at Zurich held the greatest part of the dale of Uri. The Beron-minster in Argau possessed ample estates in the same valley, and in Schwitz and Underwalden : some lands in Underwalden belonged to the canons of Lucern ; while those of St. Ursus at Soletre, and of St. Saviour at Shaffhausen, had the highest prerogatives within their towns. The sanctity of Our Lady of the Hermitage<sup>78</sup> secured to it a more extensive and prevailing authority, and a greater source of riches than its landed possessions. Large tracts among these mountains were likewise granted to foreign abbeys. The town of Lucern, and a considerable district round it, were some time the property of the abbey of Murbach in Alsace ; and the Rhetian valley of Valteline had been ceded by Charlemagne to the abbey of St. Denis near Paris.

Most of the cities had now obtained the privilege of chusing their own magistrates, and

<sup>78</sup> Einsidlen.

various franchises which gradually raised them to a level with the counts and prelates ; but their conscioius energy, their industry and frugal habits, were far more advantageous to them than the municipal rights they from time to time wrested from the reluctant lords. The power of these lords could only endure while the people lived separate and unconnected. A freer intercourse and a spirit of association soon checked its prevalency, and gradually brought on its final abolition.

## C H A P. IV.

*The Swiss.*CHAP.  
IV.

WHILE the dukes of Zæringen were, under the supremacy of the empire, exerting their authority over the fairest part of Helvetia, and many powerful counts and prelates were struggling with the rising cities for pre-eminence and local franchises, there existed in the midst of them a race so little known, so unobserved, that the Abbot of Einsidlen, when he obtained grants in the parts it occupied, found it practicable to conceal its very name from the Emperor ; thus precluding an accurate demarcation of the boundaries, and the limitation of future claims. This small tribe was no sooner noticed, but it immediately displayed all the firmness and energy, joined with temper and moderation, it has since manifested on numberless occasions. Amidst gay meadows, at the foot of a lofty mountain,<sup>1</sup> and not far from the banks of the lake of Lucern, stood its capital burgh Schwitz,<sup>2</sup> from which all Helvetia

<sup>1</sup> The Haken.

<sup>2</sup> *Suites* occurs in the ancient records. It will be a useful orthographical distinction to write *Schwitz* and *Schwitzers*,  
when

has since derived its name and independence. The sides of the surrounding mountains are variegated with gay verdure, and the dusky hue of pine forests: several of their summits are bare rocks. This alternate mixture of dreary waste, of fertile lawns, of scattered dwellings, and peaceful flocks and shepherds wandering on the downy turf; the variety of glowing tints displayed by the sunbeams on the massy rocks, the splendor of the lake, the pureness of the air; the consciousness of security derived, not from artificial fences, but from the perpetual bulwarks of insurmountable precipices; the ease and freedom of a pastoral life; all tended to inspire this people with a contented cheerfulness and dauntless intrepidity, to which they owed the ardent love of independence which to our days has eminently distinguished them, even from their free-minded neighbours and confederates. Never, unless when misled by artful demagogues, have they deviated from their primitive maxims of justice, candour, and inflexible integrity.

when this particular town, canton or people are meant; and to appropriate *Swiss* and *Swisserland* to the nation and country at large. Fastidious critics would no doubt reprobate, as a quaintness, the softening the former appellations into *Switz* and *Switzers*; but *Switzerland* is manifestly a spurious derivation.

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Their origin.

Concerning their origin, the following is the oral tradition which has been handed down through many generations, and still obtains among them. ' An ancient kingdom in the north, either in Friesland<sup>2</sup> or Scandinavia, was once visited by a famine: the people assembled, and the majority decreed that every tenth man with his family should evacuate the country. Lots were cast; and those on whom they fell quitted their native seats amidst the cries and lamentations of their friends and kinsmen; the mothers in deep dismay led out their helpless infants. In three bands under three leaders came forth six thousand hardy gigantic men, with their wives, children, and most valuable effects. They swore never to forsake each other; and prayed to God to grant them a land like that of their forefathers, where they might graze their cattle without fear of molestation or oppressive power. God brought them to a vale in the Alps, where they built Schwitz. The people increased in number. They spared no labour in clearing away the woods; but when the vale could no longer contain them, some went over to the black mountain,<sup>3</sup> and some to the white

<sup>2</sup> Not the modern Friesland, but some island in the North Seas.

<sup>3</sup> Mount Brunig, in Underwalden:

' lands.

‘lands.’ If these traditional songs be compared with what we learn from more creditable historians,<sup>5</sup> it appears well attested that this original race gradually spread itself all over the high mountainous tract between Schwitz and Gruyeres. The date and circumstances of this migration are not known: people like these paid little attention to the lapse of time;<sup>6</sup> and the traditional accounts of famines in the north are frequent, and common to various countries; nor can the names and incidents related in these songs, since the ancient language of the Swiss has been gradually disused, afford any clue to the industrious antiquary.

The earliest of these songs boast of an absolute independence; and it is attested by records that this people voluntarily applied for and readily obtained the protection of the Emperor.<sup>7</sup> This singular distinction was peculiar to the Swiss, and by no means extended to the inhabitants of the neighbouring valleys. Many individuals among them however acknowledged a limited

Their first  
constitution.

<sup>4</sup> Oberhasli among the glaciers, between St. Gothard and the lake of Thun.

<sup>5</sup> Paul Warnefrid, Etterlin, Annal, Bertiniani, &c.

<sup>6</sup> Events are frequently blended together in old traditions, though thousands of years may have intervened.

<sup>7</sup> *Sponte nostrum et imperii dominum elegistis*, says the Emperor Frederick the Second, in a charter of the year 1240.

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subjection to alien lords both spiritual and temporal; to the Counts of Rapperswyl; the abbeys of Lucern, Einsidlen, and Beron-minster; the nunnery at Zurich: but especially to the Count of Lenzburg. Their laws were those of the Alemanni: they were administered by the Duke of Suabia as Imperial Prefect. The advocacy of the country was by free election conferred for a limited number of years on the Count of Lenzburg, whose immediate protection in those convulsive times, and the frequent absences of the Emperor in his distant wars, they could not well dispense with. Nothing of moment was however transacted without the concurrence of the people in a public assembly both of the freemen and vassals. The body of the people chose their chief magistrate.<sup>8</sup> This office was invariably conferred on men of free condition, good repute, and adequate property. Vassals were not eligible; the honour of a free people necessarily implying the independence of its chief. No law excluded indigence from this high office; but it would have been detrimental to the less substantial shepherd, who had to tend his cattle from alp to alp, to have been bound to a permanent residence in the valley, which the administration of public affairs indispensably required. To the office of jurors they chose

<sup>8</sup> Landamman: Minister Vallis, in the records.

only such men as, either through the frugality and industry of their forefathers, or their own thriftiness, were possessed of a competency. Plain sense, until warped by specious sophistry, will ever point out intuitively, that those only who have a real interest in it, will be earnestly solicitous for the welfare and independence of their country. Trifling differences were compromised by seven, and sometimes nine jurors: when honour was concerned, the number was doubled; and in contests of higher moment, it was still further increased, either by the summons of the chief magistrate, or the election of the district in which the cause depended. There are still traces in Schwitz of a *street-court*, which consists of the first seven men who happen to assemble in the street, where the parties are contending on trivial matters. Capital offences were tried by the Imperial commissary; but ever in public, and within the country. Nothing less than the supreme authority of the Emperor could, in those ungovernable times, control the vindictive wrath of injured parties.

The Swiss dwelt for some time in scattered habitations throughout the woods and deserts of the Alps, and had but one place of public worship. After some time they built another church;<sup>2</sup>

Their country divided into Cantons.

<sup>2</sup> In the Muotta vale, above Schwitz, where to this day here is an insulated church, which the people of these valleys

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and at length when, by a long period of progressive industry and population, a great part of the country had been cleared and fertilized, many villages, besides the primary ones of Schwitz, Altorf and Stantz, arose, by various incidents, of which no particulars have reached our knowledge. The valleys of Schwitz, Uri, and Underwalden, all which open upon the Forest lake, became now, by the increase of their religious as well as municipal institutions, in a manner unconnected; although to strangers they still appeared as one undivided state. Those of the people, on the other hand, who had wandered over the mountains to the vale of Hasli, having spread beyond the limits of friendly intercourse, and not having the same foes to contend with, became gradually a distinct community, and were in time wholly estranged from this ancient Confederacy. The manner in which the country, thus occupied by the Swiss, became divided into three cantons, may be inferred from the example of the distribution made in the valley of Underwalden, when the district above the forest<sup>10</sup> grew much more populous than the lower one near Stantz.

leys still hold in great veneration, probably on account of its great antiquity.

<sup>10</sup> The Kernwald, which runs across the canton nearly north and south.

The general assemblies of the whole people were held at Wieserlen, near the centre of the country; but the courts of judicature were stationary at the chief burgh Stantz, whence the people had originally spread to the different parts of the valley. The more populous district however, the track above the forest, was allowed to chuse a double number of jurors for the assizes; but it likewise bore a double share in the public expenditures. This people observing soon after that most persons of property had settled at Stantz, in order to be near the seats of government and justice, thought this an unequal distribution: they demanded an assessment of the poll-tax according to the circumstances of the contributors, or else that the court should be transferred into their territory. This met with strong opposition. At length however the people of both districts held a meeting, and came to an agreement: that a landamman and jurors should hold assizes at Sarnen for the people above the forest, and that a similar tribunal should continue at Stantz for those below the forest: that the general assemblies of the people should continue to meet at Wieserlen; but that both communities should be authorized to hold distinct assemblies at Stantz and Sarnen: that the larger district should have the custody of the great banner

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‘banner of the canton; but that those of Stantz might have a banner of their own.’ These two districts became thus so independent of each other, that though they jointly formed only one member in the Helvetic Confederacy, yet each has more than once been known to engage in a war without the participation of the other. Underwalden contained of late only a few villages more than it numbered at that period: the territory of Schwitz had then not half the extent it has since obtained; and the people of Uri had not yet the sovereignty of Urseren, nor any authority in the Leventine valley. Freedom indeed existed among this people; but it was not universal. Except that their manners were somewhat softened by the precepts of Christianity, the Swiss might, at this early period, perhaps not unaptly, be compared to the five Indian nations on the Canadian lakes.

First notice  
of them.

This people, the restorers of freedom and of a federal union, of which Helvetia had, since the victory of Cæsar, been deprived for upwards of twelve centuries, had now continued long in a state of happy obscurity, unnoticed and unenvied, when Gerard of Froburg, Abbot of Einsidlen, charged them before the Emperor Henry the Fifth, with having driven their cattle upon the lands belonging to his abbey. The increasing herds of the subjects of Einsidlen had,

had, in fact, met those of the Schwitzers on grounds which the latter considered as their hereditary property. The limits had been inaccurately defined in the grant of Henry the Second; and the abbot thought, that under the denomination of the *boundless waste*, were comprized whatever lands in these parts he might be inclined to occupy. Both parties refused to yield; and contests ensued similar to those of the patriarchs, when they dug wells in the desert of Gerar. The prelate inflicted his spiritual censures, and summoned the people before the tribunal of the Suabian lords. The people paid no regard to either, deeming themselves amenable only to the Imperial court. In this court at Mentz they were at length sued by the abbot. Few of them could probably either read or write; they knew nothing of the grant: but they endeavoured to establish their claims by the testimony of their aged fathers. A mere informality may here, as in many other cases, have converted right into wrong. The Swiss were cast; but they resolved, notwithstanding the award, to maintain with firmness what they considered as their prescriptive right. Their contumacy passed for some time unnoticed; but the monks, after an interval of thirty years, obtained from the Emperor Conrad the Third, a positive decree that the people of Schwitz,

1114

1144

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Schwitz, whom this more immediately concerned, and Count Ulric of Lenzburg their advocate, do without delay, under pain of incurring the Imperial interdict, obey the sentence. The Schwitzers declared, ‘ If the Emperor, regardless of our long established right, and in contempt of the memory of our forefathers, pleases to grant away our Alps to the rapacious monks, what need we his protection? henceforth let our right arm protect us.’ The indignant Emperor put them under the ban of the empire: the Bishop of Constance excommunicated them; but they feared neither the Emperor nor the thunder of the church; nor could they conceive that to defend a just cause, was an offence before God. They were joined by Uri and Underwalden: they continued to trade with Zurich and Lucern, where the markets, pursuant to the privileges of those cities, were free even to outlaws: they compelled their priests to officiate as usual; and they tended their cattle unaided and undaunted. In this they were encouraged by the doctrines Arnold of Brescia had propagated in these parts; and they were countenanced by most of their neighbours. Frederick the First having ascended the Imperial throne, Count Ulric of Lenzburg, advocate of these valleys, came among the people, assured them that the Emperor loved brave men, and exhorted them to follow him in his wars,



1155.

wars, after the example of their ancestors ; and to pay no regard to the vain menaces of the monks. The hearts of the people are ever in the hands of magnanimous heroes ; and this people has ever been loyal when not wantonly oppressed. Six hundred youths cheerfully grasped their arms and marched over the mountains into Italy, in the cause of the friend of their honoured leader. Frederick and his successor experienced a series of misfortunes ; but nothing could abate the love or shake the fidelity these people had vowed to the monarchs of the Suabian race.

1210.

Long after the death of Ulric, the friend of the Swiss, and last reigning Count of Lenzburg, and soon after the confederacy of the three cantons had been once more renewed under Walter of Attinghausen, Landamman of Uri,<sup>11</sup> Rudolph Count of Hapsburg, and Landgrave in Alsace,<sup>12</sup> obtained by free election the office of Advocate of Underwalden. As he held the same office in the abbey of Murbach, his influence in Lucern might have been beneficial to the neighbouring countries : his power was certainly formidable. The Emperor Otho the Fourth, of the house of Brunswick, who courted the favour of the great, in order to

<sup>11</sup> These renewals appear to have been decennial.

<sup>12</sup> Grandfather to the great Rudolph:

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establish his throne against the preceding Suan line, readily seconded Rudolph in his plans of aggrandizement; and being apprized that the Swiss had favoured the rival race, he constituted him Imperial Commissary over the three cantons. They accepted him reluctantly, and not until he had solemnly engaged to defend their rights and maintain their independence. In this capacity he presided over the criminal judicature, guarded the highways and waters against depredations, and quelled all public frays and disturbances; for men in those times were ever prone to gratify their love, hatred, or revenge, with uncontrolled impetuosity; confiding during life in their own energy, and that after death their trusty friends would vindicate their cause. Count Henry of Rapperswyl molested, about this time, and drove the shepherds and herds of the Schwitzers from the lands claimed by the Abbot of Einsidlen, but which they still continued to occupy, and to defend as their hereditary property. This contest was adjusted by Count Rudolph, in the presence and with the concurrence of the chief magistrates and many reputable men of both parties. Some of the lands were shared and appropriated; others remained still in common. The tranquillity that ensued was not however of long continuance:

the

the jarring interests of the clergy and laity, and the multitude of feudal rights claimed by the nobles, could not fail, in these times of perpetual factions and extortion, to furnish frequent pretences for strife and animosities, in which these cantons appear to have been repeatedly involved.

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Thus were the Swiss, in the year when the great Rudolph of Hapsburg was born, living in their native freedom and fœderal union, in increasing prosperity, strenuous in the maintenance of their rights, and reluctantly yielding to the official authority of the elder Rudolph, his grandfather. In the same year, on the fourteenth day of February, in the ninety-first year of the Zæringian Vicegerency in Burgundy, and in the twenty-seventh after the foundation of the city of Berne, died Berthold the Fifth, of Zæringen, whose power had been most prevalent in Helvetia, often for the purpose of protection, but not always without some imputation of injustice.<sup>13</sup>

<sup>13</sup> The following curious passage, singularly descriptive of the character of the Swiss, has lately been discovered in a MSc. Chronicle of the abbey of Corvey, which appears to have been written about the beginning of the twelfth century. ‘Religionem nostram, et omnium Latinae ecclesiae Christianorum fidem, laici ex Suavia, SVICIA, et Bavaria humiliare voluerunt; homines seducti ab antiqua progenie simplicium hominum, qui Alpes et viciniam habitant, et

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semper amant antiqua. In Suaviam, Bavariam et Italiam borealem sæpe intrant illorum (ex Suicia) mercatores, qui Biblia ediscunt memoriter, et ritus ecclesiæ aversantur quos credunt esse novos. Nolunt imagines venerari, reliquias sanctorum aversantur; olera comedunt, raro masti- cantes carnem, alii numquam. Appellamus eos iccirco Manichæos. Horum quidam ab Hungaria ad eos conve- nerunt, &c.

## CHAP. V.

*Rudolph of Hapsburg.*

THE rich inheritance of the powerful house of Zæringen fell, after the demise of its last duke, into the hands of various claimants.<sup>1</sup> CHAP.  
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Times during his infancy. Ulric of Kyburg, the brother-in-law of Berthold the Fifth, obtained his allodial estates in Upper Burgundy; the Duke of Teck, and the Count of Hohen-Aurach, entered on all his lands in Suabia; and the landgraviate of Brisgau devolved to the Margrave of Baden. Berne and Zurich applied to the Emperor Frederick the Second for a confirmation of their privileges; and being both situate on the territories of the empire, they were declared free imperial cities. The two Friburgs in the Brisgau and Uchtland having been built on private heritable lands, remained under the pa-

<sup>1</sup> Herman, the ancestor of the house of Baden, was son of the first Berthold of Zæringen, who died in 1077. The father of Albert, the founder of the house of Teck, was son to Conrad of Zæringen, who died in 1152. Ann, sister to the last Berthold, was married to Ulric Count of Kyburg; and another sister was wife to the Count of Hohen-Aurach.

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tronage of advocates; the former of the house of Hohen-Aurach, and the latter of Kyburg. The vicegerency of Burgundy was, with some abatement of its honours and authority, committed successively by the Emperor to various noblemen of different families, and even to cities. About this time were celebrated the nuptials between Hartman, the son of Count Ulric of Kyburg, and Margaret, daughter of Thomas Count of Savoy. Her brother Peter was emerging out of infancy,<sup>2</sup> when Rudolph the son of Albert of Hapsburg, and of Hedwig sister to the above Hartman, was born. These two men have since occasioned memorable events and vicissitudes in the political state of their respective countries. After this time, a period of twenty years elapsed, in which there is little to commemorate but frequent struggles between the counts and cities, the progressive increase of the latter, and the gradual improvements of industry and agriculture, whose peaceful annals are far more grateful to men of just discernment and benevolent hearts, than the splendid details of bloody victories are captivating to the vulgar.

State of  
Berne.

The city of Berne, at this time confined within narrow limits, and possessing only two

<sup>2</sup> He was born in the year 1203:

forests

forests and one pasture, did notwithstanding CHAP.  
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more than once cope with powerful counts and monarchs, and obtained an influence in Burgundy, little inferior to that which had been exercised by the Dukes of Zæringen. This energy it owed in a great measure to the peculiarity of its local situation, which rendered a strict adherence to certain invariable maxims indispensably necessary for its preservation.

At the time when the Emperor raised Berne to the rank of an Imperial city, the body of its burghers consisted of freemen, and of vassals. Each burgher, as a pledge of his fidelity, was bound to become a householder. Each, without any regard to kindred, might prosecute the assassin of a co-burgher, either by legal process, or by duel. At the age of fourteen they entered into the full enjoyment of their privileges : at fifteen they swore allegiance to the Emperor, the city and its magistrates : they prided themselves in their municipal prerogatives, and eagerly resented every attack upon the honour of their city. Surrounded by formidable rivals, they lived in fearless independence, and in the full enjoyment of all the freedom compatible with civil society. Respectful submission to parents was strictly enjoined ; and it was even enacted

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enacted by a special law, that if a son and his wife resided with his mother, the parent should always retain the upper place on the hearth on which they partook of their meals. The avoyer and senate were elected annually by the collective body of the burghers : whenever they had an advocate, he was of their own choosing. A banneret was in subsequent times appointed for the superintendence of all matters that related to the military, the taxes, wardships and inheritances. In affairs of great moment sixteen burghers, chosen by the body at large, were added to the senate. These offices were held alike by nobles and plebeians, without any distinction of rank, without pride or jealousy, and, being considered as services which the commonwealth had a right to claim, without gratuity. This senate was the supreme magistracy in Berne : its decrees could only be reversed by a mandate of the Aulic court of the Emperor. This constitution, with few exceptions, was common to many other cities. The senate in those days did not consist of men of common energy, or better skilled in domestic rivalry and selfish intrigues, than in the great concerns of the community, and its relative interests with other states. Many of its first avoyers and members are extolled in the annals of

of their country, and their names are still pronounced with gratitude and veneration.<sup>3</sup> Finding no longer the security they looked for from the protection of the Emperor, whose perpetual and distant wars drew his attention elsewhere, these patriotic rulers, jointly with the people, resolved to trust to their own means for protection: and this confidence, together with the superiority of its constitution, and the wisdom of its administration, soon spread the fame of the prosperous city, and attracted a concourse of fresh inhabitants of every rank, from various parts of the adjacent country, more especially from the Alpine district, which, from its high situation, has obtained the name of the Oberland.

Advancing from Berne along the Uchtland, (The Oberland.) many hills rise on each side the Aar, on most of whose summits are to this day the remains of ancient castles. Many rapid but fertilizing streams issue from among the valleys, and swell the river. At Thun, a lake almost unfathomable presents itself among steep mountains, which, to the eastward, join to the great cluster of the St. Gothard: their summits often seem to rest on clouds. Further on, the Aar, after

<sup>3</sup> Jagisdorf, Egerdon, Buchek, Bubenbergr, Eschenbach, Wattewille, Erlach, &c.

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bursing from a meer,<sup>4</sup> surrounded by still higher mountains, descends with rapid velocity across a fertile plain, and pours its waters into this lower lake near Interlachen. The higher the traveller ascends into the Upper Alps, the more will he be struck with the immensity of the scenery: as he proceeds, he will wander over many craggy paths, through the lofty dales of Hasli, till he arrives at the edge of tremendous precipices, bordered by vast forests of dusky pines,<sup>5</sup> interspersed with the less gloomy rose-bay,<sup>6</sup> feltwort,<sup>7</sup> winterbloom,<sup>8</sup> savin,<sup>9</sup> and the aromatic, but humble flowerets of the bay-leaved willow.<sup>10</sup> Here the slippery turf limits both the pasture of cattle, and the hazardous steps of the inquisitive traveller. Mountains of snow, and immense piles of everlasting ice, succeed, and involve the towering peaks of the Wetterhorn, the Schrekhorn, and the Jungfrau-horn, three of the most lofty summits of the Alps. Not far to the eastward, on the Grimsel, springs the Aar from an icy cavern. In

<sup>4</sup> The lake of Brienz.

<sup>5</sup> *Pinus cembra*.

<sup>6</sup> *Rhododendron ferugineum*.

<sup>7</sup> *Gentiana cruciata*.

<sup>8</sup> *Azalea procumbens*.

<sup>9</sup> *Juniperus sabina*.

<sup>10</sup> *Salix pentandra*.

deep crevices are seen large sparkling crystals : scarce a chamois ventures to bound along the crags : and from inaccessible caves are heard the shrieks of a few solitary vultures.<sup>11</sup> Except one or two lonely paths that lead across this frozen tract, no vestige of a human being occurs during several days journey. The venomous wolfsbane<sup>12</sup> is here a cheering sight, being the only produce of vegetable life. Still higher to the westward is mount Gemmi, a bare and shivered rock ; at the summit of which, above the lake Dauben, the eye is at length gratified by a distant view beneath, of some of the towns, villages and scattered dwellings in the Valais. This maze of narrow valleys, intersected by foaming torrents, and overhung by stupendous precipices, is the Oberland. It is, to the utmost borders of vegetation, inhabited by shepherds and their cattle. Freedom alone attracted population to these inhospitable regions ; whilst many luxuriant parts of Asia lay waste, because deprived of freedom. Many nobles, who resided on their estates, and among these, chiefly the Counts of Gruyeres, were proprietors in these sequestered valleys ; but the freemen preserved among themselves a patriarchal sway, which, if any one attempted

<sup>11</sup> Falco chrysætos. Will. Orn. 27. t. 1.

<sup>12</sup> Aconitum napellus.

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to exceed, he was sure to be resisted. These shepherds guarded the fastnesses at the entrance of their valleys, and feared neither the Kings of Burgundy, nor the whole power of Zæringen. The people of Hasli had, like the Swiss, a landman of their own chusing, and an imperial commissary, who administered the criminal judicature : for the latter, they paid an annual tribute of small amount : a steward administered the imperial domains. After Berne became a refuge from the oppression of the counts, many nobles, as well as peasants, resorted thither, allured by the security and conveniences afforded by the city : many also who were unwilling to forsake their lands, sought notwithstanding the protection of the municipality, and were admitted as co-burghers. Such was the progress of Berne in its increase of population, and such the influence it gained among the people of the higher Alps. Cities for the most part rise into consequence after a long period of tranquil obscurity : but Berne, even in its earliest infancy, exerted the vicarious power of the empire, tried the fate of arms against the Counts of Kyburg, invaded the Roman Helvetia, decided many disputes, formed alliances with Friburg, Laupen, the Valais, Bienne and Hasli, and excited the jealousy of all the more powerful lords, who saw with in-

dignation the aggrandizement of this secure refuge from their oppressive sway.

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Zuric, &c.

The other cities of Helvetia experienced no material changes on the extinction of the house of Zæringen. At Zuric, an imperial commissary, as usual, enforced the criminal law; and, jointly with the municipality, provided for the security of the roads, the navigation of the lake, and the safety of individuals. The abbess of the great monastery, and the four and twenty canons of the minster, appointed stewards to their manors; who, under the sanction of the Emperor, administered them according to established laws, and were in many instances restrained by local privileges. In the lordship of Mur, the tenants were allowed to redeem the first night's cohabitation with their brides for fifty shillings: at Neftenbach, the father of a new-born son had a right to two waggon loads of wood; for a daughter he received only one load. The political institutes of those times had chiefly in view the inviolable security of the persons and property of each class of citizens: no unlimited authority could hence be tolerated; and the meanest individual was allowed to aspire to the highest honours. Some tradesmen attempted even then to prevail on the abbess to purchase their work preferably to that of others; not on account of its superior quality,

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quality, but because it was made by freemen of Zurich. The clergy resisted the demand of a subsidy towards building the city walls; but the senate, aware that their treasures were not all in heaven, thought it reasonable that they should contribute towards the defence of those they possessed on earth. Measures were also taken to compel them to dismiss their concubines, and to lead more exemplary lives. The monks might well execrate the doctrines Arnold of Brescia had disseminated. At the revival of the animosities between the Imperial and Papal parties under Frederick the Second, Zurich being favourable to the former, its clergy were enjoined by their ordinaries to abstain from the celebration of mass, and to refuse baptism and burial to the Ghibelins. The monks upon this were ordered by the magistrates either to continue the exercise of the ecclesiastical functions, or to quit the city. The predicant friars withdrew: but the provost of the minster represented to the Bishop of Constance the great danger of distracting the minds of the faithful by the precipitate retreat of the clergy; and on the other hand, the hopes entertained by the canons of being able, if they should be allowed to continue in their abbey, to bring over many innocent minds from the gross errors under which they laboured, and to restore them to the pale of

of

of the church. A decree was in consequence obtained from Rome to soften the rigour of the former mandate: but before it arrived, the order of the senate had been renewed for the clergy to take their option; upon which all the ecclesiastics withdrew on the same day, the bare-footed friars only excepted, who without much reluctance yielded to the compulsion of remaining, and continuing the celebration of the sacred offices. The clergy could not long bear to forego their revenues: they solicited the Pope; and at length, the Bishop of Constance being authorized to permit them to perform the ordinary church services, they were reinstated. Thus, while the clergy were bidding defiance to the Emperor and other powerful princes, were they controled by the unshaken firmness of the burghers of this stubborn Ghibelin city.

1248.

After the Emperor Frederick the Second had, during a period of more than thirty years, asserted an extent of dominion reaching from the coasts of Africa to the frontiers of Denmark, and maintained his power with spirit and magnanimity against the encroachments of priests and secular princes, and the insidious attempts of many traitors, his authority at length gave way to the prevailing spirit of the times. When the majesty of the throne was no longer able to check the progress of insubordination,

Peter of  
Savoy.

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or afford protection to injured innocence, individuals, destitute of the means of self-defence, sought for security, as on former similar occasions, either by combining in numerous confederacies, or by placing themselves under the protection of some powerful prince or prelate. Peter Count of Savoy became, about this time, particularly eminent among his contemporaries by his valour and generosity: his fame soon spread through distant countries; and even in England his influence at court was far greater than is usually allowed to strangers.<sup>13</sup> Such was the energy of his character, that he was generally allowed the appellation of the *Little Charlemagne*. Even in the narrow circle of domestic life, he succeeded (which has happened to few besides Cæsar and a late Prussian monarch) to impress on his intimates and familiar attendants a persuasion of his greatness. The people whom he governed and protected,

<sup>13</sup> He came to England in 1240, where his niece Eleanor, Queen to Henry the Third, procured him a kind reception. He was created Earl of Richmond and Essex, acted for a time as prime minister, and was made Governor of Dover and other important places; but at length, aware of the jealousy these high distinctions were likely to excite among the nobility, he prudently withdrew in 1255. He was recalled in 1257, and negotiated a peace with France. The palace called the Savoy is said to have been built for his residence.

have long after his death continued to ascribe all glorious exploits, and the splendid institutions of those times, to his vigorous and benevolent exertions. The Berners preserve the following tradition : ‘ Our city had not one ‘ foot of land on the other side the Aar against ‘ which to lean a bridge. At length we purchased a field and began the structure. We ‘ had reached half way across the river, when ‘ the Count of Kyburg sent us an order to desist. With arms in one hand we continued ‘ the building with the other ; but the count ‘ sent forces, and we were weak in numbers. ‘ In this dilemma one of us stood up and extolled the heroic virtues of Peter of Savoy. ‘ This young count had many brethren, and was ‘ far from opulent. Two of our nobles, disguised as monks, crossed the mountains of ‘ the Oberland, met him at Chillon, and requested ‘ his assistance. Our confidence excited his ‘ generosity ; and he came without delay. He ‘ pleaded our cause so effectually with the ‘ Count of Kyburg, whose brother had married ‘ his sister, that an end was put to all further ‘ opposition. He then returned to Berne, and ‘ in order to promote the work laboured at ‘ the bridge himself. We also consulted him ‘ when the suburbs near the bear’s ditch were ‘ founded. Five hundred of our hardiest youths

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‘ followed him soon after in his wars. On a day of battle he swore that if he conquered he would refuse nothing to the Berners. God and our arms gave him the victory. Our banneret then told him, “ We want neither gold nor silver ; but we request the grant of the advocacy you have received from our city: give us this ; and be no longer our master, but our friend.” The Count, although reluctantly, surrendered the grant, and entered into an alliance with us, which was faithfully observed by both parties until his death.’

As long as the life of the Emperor Frederick the Second admitted a doubt, whether his firmness might not ultimately extricate him from the difficulties that perplexed the latter years of his tempestuous reign, so long did the Counts of Savoy conduct themselves with the circumspection which became them as friends of the Emperor, and at the same time relations of the Pope.<sup>14</sup> After his death, when William Count of Holland was by some acknowledged king of the Germans, and strife and violence became prevalent throughout the empire, several towns and districts sought the protection of Count Peter, and willingly placed themselves under

<sup>14</sup> Innocent the Fourth. Thomas the Second, elder brother of Peter, had married Beatrice Fiesco, niece of the Pope.

his advocacy. Among these were Payerne, Morat and Vevay : but he was urged with far greater importunity by the inhabitants of Moril in the Upper Valais, to skreen them against the wanton tyranny of Mangepan their lord ; who, secure in his strong castle on a rock, oppressed his people with remorseless cruelty. Peter, although opposed by several other lords, and even by the Bishop of Sion, who reprobated every attempt to control their lawless power, advanced into the Valais, razed the walls of Sion, demolished the castles of Mangepan, Leuk, and other lords, and penetrated as far as the district of Gombs, near the sources of the Rhone : he thence returned to the abbey of St. Maurice, where he met the Bishops of Lausanne and Sion, and several other dignified priests, and received from the hands of Rudolph the abbot, the ring of Mauritius, the holy warrior and martyr, which the count ordered to be religiously preserved in his family.<sup>15</sup> Rudolph Count of Gruyeres performed here, or perhaps renewed, his homage to the house of Savoy. Peter proceeded thence, and chastized Rudolph Count of Geneva for having withheld his homage : he imposed on him a fine of twenty thousand marks of silver, the payment of which he secured by seizing several of his strong holds.

<sup>15</sup> The Counts of Savoy have ever since been invested with this ring.

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## V.

1263.

When Richard Earl of Cornwall accepted the precarious authority he held during a short interval, as head of the empire, he cast his eyes upon his kinsman, Peter of Savoy, and expected no trivial services from him, in the prosecution of his feeble title to the first throne in Christendom. Hartman, the last Count of Kyburg, dying without male issue, Peter found no difficulty in obtaining from Richard all the feudal tenures that house held under the empire. The traditionary annals of the Pays de Vaud relate, ' that their more powerful barons, jealous ' of the rising fortune of Savoy, made an attempt upon Chillon, which Peter successfully ' repelled, took several of the assailants prisoners, and compelled them to swear allegiance to him : that he then marched with ' great force all over the country ; reduced ' some refractory towns, and kept them in subjection by strong towers and garrisons :<sup>16</sup> that ' he next resorted to the Imperial court for investiture ; and appeared before the Emperor ' in an armour, one half of gold, and the other ' of steel, thereby denoting that he had acquired the Pays de Vaud, partly by arms, and ' partly by purchase : that being called upon to name his surties, he pointed to his sword :

<sup>16</sup> Moudon, Romont, Morat, Iverdun, Tour de Broye, Tour de Peyl near Vevay ; the latter of which bears, by corruption, the name of Peter, (Peyron,)

‘ that during his absence, the Counts of Gruy-  
 ‘ res and Geneva, and the Lord of Montfaucon  
 ‘ threatened a revolt ; but that he hastened  
 ‘ back with a body of English forces, and soon  
 ‘ convinced them of the rashness of their attempt.’

By what means he attained his many acquisitions, whether by election, by the revival of antiquated claims, or by mere force of arms, is variously related ; but, amidst this uncertainty, it is well attested that he added to his hereditary dominions one half of the temporalities of the bishoprick of Lausanne, many episcopal castles in the Valais, many advocacies of considerable towns in the Pays de Vaud, many forts and advocacies of the Counts of Geneva, Gruyeres and Neuchattel, and the feudal supremacy over the Lords of Montfaucon, Montenach, and several other nobles. From him is dated the power of the house of Savoy in these parts ; a power till then wholly unknown. He appointed Hugo de Palisieux his governor in this newly acquired province. The states assembled occasionally at Moudon, in the presence of this governor,<sup>17</sup> who, whenever required by legal authority,<sup>18</sup> was bound to summon an ex-

<sup>17</sup> This officer was called *Bailli de Vaud*.

<sup>18</sup> The assembly and privileges of these states have of late been a matter of much controversy, in which Col. la Harpe,  
 and

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traordinary meeting within three weeks from the day of the requisition. The list is numerous of the ecclesiastical and lay lords, and deputies of towns, who had seats in this assembly. No one could class among the barons who had not five and twenty vassals, and an annual income of at least three thousand livres. The rank of count could not be assumed without the approbation of the states. All legislative acts required the sanction both of the prince and states: all causes were finally determined, not by the arbitrary decree of the prince, but either by the states general of Savoy, or by the supreme authority of the Emperor. On this free and equitable constitution, similar to that of which Count Peter had seen the early progress in England, did the princes of Savoy long after rely for the preservation of this conquered province. Sovereigns, before the introduction of standing armies, were well aware that compulsive means were at least dangerous, if not altogether impracticable.

The Swiss.  
1231.

The Swiss were at this time, as they have often proved themselves at others, firm and undaunted amidst the perils of wars and threats of excommunication. When, during the Ba-

and M. de Mulinen, have strenuously contended, the former in favour, and the latter against, the right of their being convened, independently from the authority of the sovereign.

varian

varian war, Henry the son of the Emperor Frederic the Second, applied to them in the name of his father for six hundred auxiliaries, they sent the number without delay, as soon as he had taken from the Count of Hapsburg the office of Imperial commissary, in which he had oppressed them. Their chosen band fought with such valour against the Guelphs in Italy, that Henry not only knighted one of their leaders,<sup>19</sup> but also granted to each valley a charter of liberties; in return for which, they willingly put themselves under the immediate protection of the empire.

1240.

Rudolph had now reached his twenty-second year, when his father Albert, who was odious to the Swiss on account of his rigour in the office of Imperial commissary, died on a distant pilgrimage. Albert's share of the estates of Hapsburg devolved to Rudolph; but a great part of the hereditary domains of his house was in the hands of his paternal uncle,<sup>20</sup> who, with his five sons, lived at Lauffenburg on the Rhine. The property Rudolph inherited was moderate: his lands were all in sight of the great hall in his castle. Some advocacies extended his influence to more distant parts; but the power

2. Rudolph's youth.

<sup>19</sup> Struth Winkelried, of Unterwalden.

<sup>20</sup> Likewise called Rudolph, who died in 1249.

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annexed to the title of Landgrave of Alsace, to which he succeeded, was, by the refractory spirit of the times, rendered almost nugatory. In the eager pursuit of his ambitious views, he despised the tardy means of prudence, and suffered the vehemence of his temper to betray him into indiscretions which, in men less audacious, would have led to ruin. Before the age of forty he had already incurred the odium of his whole family, being disinherited by his maternal uncle the Count of Kyburg, and twice excommunicated by the church. His first contest was with his uncle of Lauffenburg, whom he taxed with having made an unfair partition of the family estates : but the helpless debility of the old count was so effectually protected by his son Godfried, that Rudolph soon beheld from his castle the flames which consumed his principal town of Bruck ; and was compelled to acquiesce in the grant the old count made of the castle of new Hapsburg on the lake of Lucern, to the nunnery at Zurich. He next gave offence to his uncle Hartman, who had no issue ; and extorted from him a large sum, as a compensation for his claim upon the estates of Kyburg : Hartman complied, that he might transfer the bulk of his property to the see of Strasburg ; and in order to preclude all further importunities from this intrusive nephew, he made

made his grant irrevocable. In a contest with the Bishop of Basle, Rudolph approached with forces, and burnt the convent of the Penitent Sisters in one of the suburbs of that city; for which sacrilegious deed, he and all his adherents were put under a severe interdict. He then (perhaps as an atonement to the church) engaged with Ottocarus King of Bohemia, in the crusade against the infidels of Prussia, who were contending with the Teutonic knights for the Gods and the freedom of their ancestors. His fortunes, which his rashness more frequently obstructed than promoted, took a more favourable turn, as soon as adversity had tempered the impetuosity of his unruly passions.

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III.  
1244.

His mother Hedwig lived to see him reconciled to her family, and to witness an alliance contracted between Hapsburg and Kyburg. Godfried of Lauffenburg<sup>21</sup> also became his friend. The days of the old Count of Kyburg drawing near to a conclusion, Rudolph sought both by persuasion and kind offices, to induce the Bishop of Strasburg to relinquish the hasty grant of Hartman. In this however he failed;

Dawn of his  
Prosperity.

<sup>21</sup> The son of this Godfried, who bore the same name as his father, is reported to have fled to England from the persecutions of his cousin Rudolph (in 1310), and under the name of Fielding, to have been the founder of the illustrious line of the Earls of Denbigh. See Dugdale's English Baronage, t. ii. p. 440.

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and thenceforth he espoused the cause of the citizens of Strasburg against their bishop, and seized on the towns of Colmar and Mulhausen. He allowed no repose to this right reverend prelate during his life; and, after his death, 1263. intimidated his successor Henry to such a degree, that he gladly consented to surrender the grant. In the same year died Hartman the younger, the son of Werner Count of Kyburg, who had inherited the city of Friburg in the Uchtland, Burgdorf, Thun, and other domains; and also held, in right of his wife Elizabeth, several of the estates of Lenzburg. Hartman bequeathed this large inheritance to his infant daughter Anne; but so greatly involved, that both Elizabeth and Anne were in danger of seeing their whole property consumed by their bondsmen,<sup>22</sup> who, according to the custom of the times, lived in taverns at the expence of the debtors. 1264. Hartman the elder of Kyburg, soon after this, sent a pressing message to Rudolph, to solicit his aid against the burghers of Winterthur, who, in a sudden insurrection, had attacked and nearly demolished his tower near their walls. Rudolph was hastening to his assistance, when news were brought him that Hartman, the last Count of Kyburg and Landgrave

<sup>22</sup> These bondsmen appear to have been the securities given to creditors.

of Thurgau, had closed his illustrious line. All the nobles of the county of Kyburg,<sup>23</sup> and from Baden, Thurgau, and the Gaster, who owed allegiance to this house; the magistrates of the several towns and cities, and the heads of the many convents that had been founded or patronized either by his ancestors or by himself, met hereupon at a general assembly; and Count Hartman was entombed with his shield and helmet. Rudolph received the homage of the assembly, and pardoned the insult offered by the burghers of Winterthur. The house of Hapsburg had on no former occasion received so great an accession of power and dominions; but Rudolph, while he was listening to the congratulations of his friends and subjects, was little aware what far greater honours were yet reserved for him by his auspicious destiny.

Rudolph was high in stature, and of a graceful figure and deportment: he was bald, his complexion pale, his nose aquiline: his mien was grave, but so engaging as to command the confidence of all those who approached him. Both at the time when, with scanty means, he performed eminent achievements, and when, in his exalted station, a multitude of public concerns claimed incessant attention, he preserved

3. His age  
of man-  
hood.

<sup>23</sup> This county appears in 1299 to have contained forty-four parishes, and above one hundred castles.

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a gay and tranquil mind, and a disposition to facetious mirth. His manners were simple and unassuming: his diet was plain; and he was still more temperate in the use of spirituous liquors. He once in the field appeased his hunger with raw turnips: he usually wore a plain blue coat; and his soldiers have often seen him darn his doublet with the same hand that grasped his conquering sword in fourteen battles. It is reported that he did not always preserve his conjugal fidelity to his consort Gertrude,<sup>24</sup> who bore him ten children: but he enjoyed pleasures without being subservient to them; and hence did he never want either time for labour or relaxation, or in old age health and vigour for powerful exertions.

While the succession to the dominions of Kyburg had supplied Rudolph with the means of prosecuting his ambitious views, Richard of Cornwall, whom he had refused to acknowledge as king of the Germans, was kept a prisoner in England: and no prince of the empire had either courage to aspire to, or sufficient skill to compass, the Imperial throne.<sup>25</sup>

<sup>24</sup> Of the house of Froburg and Hohenberg. He married her in 1245, and she died in 1281.

<sup>25</sup> Historians, especially in England, have for the most part confounded the titles of the heads of the empire. Before the year 1509, they were merely stiled *Kings of the Germans, or Romans*, till they had been crowned by the Pope, and

A total want of subordination had now given free scope to mere bodily strength, and the raging passions of individuals; and the rapacity of an unruly soldiery left neither plunder for the audacious robber, nor bread for the defenceless citizen. All social institutions had yielded to anarchy and confusion. Rudolph had been early trained to arms; and peaceful enjoyments were neither suited to his temper, nor to the circumstances of these calamitous times. Although his dominions were now extensive, yet as his authority was chiefly derived from the offices of advocate or commissary, his power was by no means commensurate with the wide compass of his territories. In order to strengthen his ascendancy, his policy led him to countenance the burghers, who, thus encouraged, cheerfully obeyed him, and submitted to the strict discipline which alone insures success in arms. Their municipal laws had moreover inured them to the habits of order, which the nobles scorned to adopt: their commerce and industry supplied them with the sinews of wars: their deep speculations and frequency of inter- and thereby declared Emperors. Maximilian the First, in the year abovementioned, obtained from Pope Julius the Second, a formal dispensation, by virtue of which he and his successors have ever since assumed the title of *Elected Roman Emperor*, without the ceremony of the coronation at Rome. Thus Rudolph never bore the title of Emperor.

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course exercised their intellectual faculties, and heightened that acuteness which fitted them for the dextrous stratagems, secret correspondences, and subtle devices, on which, particularly in these times, successes both in war and negotiation chiefly depended. Rudolph, their advocate and captain, availed himself of their arms and treasures against the rivals of his projected grandeur; and by his fame and condescension obtained both their love and confidence.

Advocate  
of Schwitz.

Count Rudolph of Lauffenburg, cousin to Rudolph of Hapsburg, had, in the time of the last Emperor Frederick, whose cause he had espoused against the Guelphs, been stript of the advocacy of Schwitz, and the upper district of Unterwalden, and of all the power he derived from the advocacy of Murbach over the city of Lucern, a dependency of that abbey. Henry Count of Rapperswyl having founded the cistercian abbey of Meerstern at Wettingen,<sup>26</sup> endowed it with the fiefs of Sillinen, Gestinen, and all the states he possessed in the valley of Uri. The vassals in this dell, who, under the lenient government of a monastery, expected more quiet and security than under a temporal lord, willingly swore allegiance to the abbot. But when, under pretence of ecclesiasti-

<sup>26</sup> On the Linmat, between Zurich and Baden. The foundation charter is of the year 1227.

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cal immunities, he refused to contribute towards the expences of the country, they solemnly protested against the innovation, and insisted on an equal assessment. The prelate hereupon, being sanctioned by the Emperor, came into the valley, not doubting but that the sacredness of his character, and the imperial mandate, would insure obedience: but the people received him with loud murmurs; and the landamman addressing him said, ‘bring us no more orders like this. ‘Popes and Emperors may confer on you what ‘privileges they please; but we also have ancient rights and liberties, and a constitution ‘we have derived from our forefathers, which, ‘with God’s aid, we are determined to maintain. If all the lands are appropriated to the ‘church, how can the poor layman bear the ‘public charges?’ Their resistance to clerical exemptions increased in proportion as the mortmain became more opulent, and inclined them still more to the Ghibelin party, in which, at this time of general mistrust, they had few abettors except the burghers of Zurich. This brought on a triennial alliance between that imperial city, and Schwitz and Uri, which stipulated, that they would mutually defend each other against all undue encroachments of the feudal lords, and every attempt of powerful assailants. Twelve venerable men of the most respectable

1251.

CHAP. V. respectable families became guarantees of this treaty: and about this time the people of Schwitz conferred the advocacy of their country on Count Rudolph of Hapsburg.

The city of Zurich was nearly surrounded by the domains of the Baron of Regensberg, whose principal castle stood on a commanding eminence not far from its northern gates. In the perturbed state of public affairs during the interregnum, the senate sent six nobles and as many burghers to Baron Lutold to solicit his protection. He answered, 'Zurich is encompassed by my territories like a fish in a net: surrender to me, and I will govern you with lenity.' This gave umbrage; and the citizens sent offers to Rudolph of Hapsburg, who readily accepted them. The mutual conditions were immediately drawn up, and confirmed by the usual oaths. This step alarmed the baron and all his kindred and allies, among which were the Counts of Rapperswyl and Tocken-  
 1264. burg, the Abbot of St. Gallen, and the Bishop of Basle: they armed, and put their castles in a posture of defence; and hostilities soon commenced. After having been harassed by many false alarms, the baron found himself suddenly attacked at the castle of Wulp near the lake above Zurich. Being unable to defend such distant possessions he mortgaged the seignury  
 of

of Gruningen, and resolved to concentrate his forces in his strong holds on the Limmat, and near the city. Rudolph was too skilful to urge the war against these collected forces during the first impulse of their zeal: he preferred waiting for the abatement of vigilance, which is usually brought on by inactivity, and meanwhile made a diversion towards the head of the lake. He invested the fort Uzenberg with an intention to reduce it by famine; but he was on the point of withdrawing, deeming the place too well supplied to be compelled by want, when a soldier vauntingly threw some live fish over the walls: he thence inferred that the garrison had a secret communication with the lake; and this discovery led to the reduction of the place. After other exploits in those parts, he approached the Limmat below Zurich: he embarked some men, and dropped down near the castle of Glanzenberg. The men having secretly landed, the boatmen threw cloaths into the river, and raised an outcry as if they had been shipwrecked: the garrison hastened down to the river in hopes of plunder, and the men in ambuscade rushed into the castle, and captured it without resistance. He learnt that twelve grey horses went daily out of the castle of Utliburg near Zurich, either for the sake of sport or pillage: he ordered a like

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number of similar ones to be provided ; and on the close of an evening, while he knew the former to be absent, he caused some men from Zurich to pursue his troop with great speed and clamour towards the castle. The deluded garrison threw open their gates, and the castle was taken and demolished. Facts like these are far better illustrations of a character than whole pages of descriptive qualities. An accommodation took place through the mediation of a kinsman of the baron, who was closely connected with the Count of Lauffenburg, which saved Lutold from utter destruction, and procured him the freedom of Zurich, to which he has since been beholden for the protection he recently withheld from that opulent and aspiring city.

Disputes  
with St.  
Gallen

Meanwhile came Berthold of Falkenstein, Abbot of St. Gallen, with a considerable force, to Wyl, in the territories of Kyburg, where Rudolph had inherited many fiefs, for which he had neglected to take the investiture. This, and other hostile proceedings on the part of Berthold, irritated the count ; but far from yielding to his resentment, he found it expedient not only to dissemble his animosity, but even to make advances to the abbot for his friendship and assistance. The season was arrived when the knights were wont to take the field ;

and Basle.  
1267.

field; and Rudolph met a great number of them at Basle, where they celebrated the carnival. A rooted antipathy prevailed in this city between the nobles and the citizens; and it is not unlikely that, at a festival, the youthful knights may have offended some of the burghers, who were either husbands or fathers. A riot ensued, which the knights did not all survive: they took horse and fled, burning with indignation and vindictive rage. The count rejoiced at an event which afforded him an opportunity of securing the affections of the young nobility, and of availing himself of their resentment in order to overpower the Bishop of Basle, who, being uncle to the Count of Tockenbourg, repined at the demolition of the castle of Uzenberg: but being engaged in various other contests, he saw the necessity of using every means to reduce the number of his adversaries. He set off on horseback with only two attendants; and, travelling through private roads and lanes, arrived at Wyl, where the abbot was feasting with hundreds of his noble retainers, and quaffing the choicest wines from the Rhine, the Necker, and the Valteline. The porter entered the hall, and announced the Count of Hapsburg. The abbot smiled, conceiving this to be the frolic of some neighbour, who came to partake of the feast; but great

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was the astonishment of the whole assembly, when they saw Rudolph enter with scarce any attendants. He accosted the prelate with an unembarrassed air: 'Abbot,' said he, 'I hold fiefs from your saints. You know the reasons which have as yet prevented me from performing homage, and receiving the investiture. Enough of this at present: I submit to the award of arbitrators. I am come to tell you that there shall be no war between the Abbot of St. Gallen and the Count of Hapsburg.' He sat down among the knights; and during the meal related the fatal issue of the affray at Basle, adding every aggravating circumstance that was calculated to irritate the nobles against the burghers. He declared, 'that though engaged in various contests, he thought the example so dangerous, and the affront so disgraceful to his order, that he should waive every other consideration, and proceed without delay to avenge the outrage upon the audacious burghers and their base prelate.' The nobles, fired with indignation, exclaimed that the cause concerned them all; and instantly, together with the abbot and his vassals, accompanied Rudolph in his expedition against Basle. Here followed a great conflict, which brought out the Schwitzers from the Alps, the people of Zurich and St. Gallen, and all the retainers

tainers of Hapsburg and Kyburg as far as the Brisgau and Alsace, against the city and bishop of Basle. The city soon yielded: but the bishop held out longer, and was much harassed by the count, who seized on Brisach; and, with still greater animosity by the abbot, from whom he had taken some wine.<sup>27</sup> At length he purchased an accommodation, and was forced to submit to the damages which his estates had suffered during this severe contest.

Rudolph in all his wars treated the prelates, who were less tenacious of their spiritual dignity than of their temporal concerns, not as preachers of the gospel of peace, but in a manner conformable to the law of arms: on the other hand, he is reported to have shewn great deference to the clergy, and a zealous devotion to the sacred rites. One day while hunting, he met near an overflowing brook a parish priest, who was bearing the host to a dying patient: he compelled him to mount his horse; and expressed with fervour his lowly veneration for the Supreme Being, to whom he owed all his many blessings and the great prosperity he enjoyed. His piety was highly extolled at Zurich, when, at a solemn festival, he exhibited to the

<sup>27</sup> At a meeting at Bruck, the bishop exclaimed, 'how has our holy Virgin deserved the evil you have done to her see?' The abbot answered, 'what right had you to drink the wine of our blessed Lady of St. Gallen?'

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assembled multitude many relics of the crucifixion. The new Augustin hermits whom he established in this city, and many other religious orders on whom he conferred ample donatives, spread the fame of his godliness throughout the land.

Basle did not long enjoy the tranquillity it had obtained by the late pacification. Factions arose among the citizens:<sup>23</sup> and the bishop being tardy in discharging the contributions he had promised Count Rudolph, the latter assembled his forces and returned to the siege of this distracted city. The resistance he met with was more obstinate than he had ever yet experienced; and his soldiers, weary of repulses and reciprocal attacks, were relaxing in their ardour, when Henry of Pappenheim, hereditary marshal of the empire, and soon after him Frederick of Hohenzollern, Burgrave of Nuremberg, came from Franckfort on the Meyn, and brought the tidings that Lewis Count palatine of the Rhine and Duke of Bavaria had at an assembly, and in the name of the electors, proclaimed Rudolph Count of Hapsburg, in consideration of his

4. Rudolph  
on the Imperial  
Throne.

1273.

<sup>23</sup> The parties of the Star and Parrot, the former noble, and the other plebeian, had long been at variance: the star, against which the bishop also exerted his influence, was at this time driven out of the city.

‘ great wisdom and eminent virtues, King of  
 ‘ the Roman Empire in Germany.’ This intel- CHAP.  
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 ligence surprised Rudolph more than it did those  
 who attended him. While all his friends and  
 retainers in the Argau were with inexpressible  
 joy hastening to Bruck, to congratulate his  
 consort on this unexpected exaltation : and the  
 distinguished persons of all his towns and pro-  
 vinces who had honoured him in his more hum-  
 ble station came to visit him in his unlooked-for  
 splendour, the citizens of Basle requested that  
 he and his troops would enter their city. The  
 new king granted them a full amnesty, released  
 all the prisoners, and proclaimed a general pa-  
 cification. He then repaired to Brisach, where  
 he met his queen and the principal nobility of  
 the empire ; and with them proceeded to Aix  
 la Chapelle, where he received from the hands  
 of the Archbishop of Cologne the crown once  
 worn by Charlemagne.

The most important of the subsequent ac- His Cha-  
racter.  
 tions of Rudolph must be sought for in the an-  
 nals of the empire ; the province of this history  
 being merely to relate what he achieved within  
 the confines of Helvetia, in favour of the people,  
 for his own interest, and for the advantage of  
 his progeny. He sat eighteen years on a throne  
 which, during three and-twenty-preceding  
 years, none had been able to maintain. He re-  
 stored

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stored public tranquillity; governed with paternal lenity; but at the head of his forces still manifested his wonted spirit and intrepidity. In his private life he preserved all the simplicity of his native manners: he was accessible to all; and said to his surrounding guards who prevented a poor man's approach, 'Because I am a king, am I to be secluded?' He gave strict charge to the toll-gatherers to take no more than their dues, and to abstain from violence: 'Know ye,' he declared to all his officers, 'that I am bent on re-establishing peace and equity, the most precious gifts of heaven.'

His conduct towards

a. the cities and country towns.

He protected the city of Zurich, which depended immediately on the empire, with so much solicitude, that to prevent any progressive abuse of power he regularly exchanged the imperial commissary every other year. He conferred on the citizens the important privilege, without which neither their wise institutions nor the purity of their manners would have availed them, 'not to be amenable to any foreign tribunal, nor to be ever tried but according to their own laws:' they in return gave a striking proof of their firm adherence to Rudolph, on a day when one hundred of them headed by himself displayed a memorable instance of undaunted valour, in a decisive battle against Ottocarus King of Bohemia. He never failed

failed to rise from his throne at the approach of Jacob Muller, a burgher of Zurich, who in an engagement had at the peril of his own life saved that of the monarch: he never applied in vain to the citizens for a loan or subsidy; and found them ever ready to promote his interest and glory.

He not only pardoned the city of Berne for having, during the anarchy of the interregnum, seized on and demolished the imperial castle<sup>29</sup> within their city, and withheld some of the revenues of the empire; but also ratified all the privileges that had been conferred on them by their founders and subsequent benefactors. To the city of Lucern, which, through the advocacy of the Abbey of Murbach, came under the protection of his family, he granted the same immunities which preceding Emperors had conceded to Berne, and declared its magistrates and burghers immediate feudatories of the empire. He favoured Basle, both the city and bishoprick: and the citizens of Shaffhausen and Soleure were, like those of Zurich, exempted from all foreign jurisdiction.

The Swiss, who desired nothing but their primitive independence, he cherished with kindness and affection, thankfully acknowledging their invariable friendship and the important

<sup>29</sup> Nideck.

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services they had often rendered him. He told them, ' that he should ever consider them as his ' meritorious and darling children ; and as such ' would maintain them in the immediate protection of the empire, and reserve them for ' the most important of its services.' This friendly disposition, which they furthered by the vigorous aid they afforded him against Otto-carus, remained undiminished to his latest hour. To the inhabitants of Winterthur he granted, in consideration of the blood they had shed in his wars against the King of Bohemia, a charter, by which he engaged never to send them a foreign avoyer ; to refer all causes that concerned them to their own courts ; and that their contributions should never exceed the sum of one hundred florins. Should it appear that the burghers had in fact purchased all these privileges, still it must redound to the honour of Rudolph that he made ample returns for what others had extorted by mere violence and injustice.

A The Nobles.

The nobles, whom an aspiring prince is ever willing to degrade, but whom Rudolph knew how to restrain from acts of wanton oppression, he on all occasions firmly maintained in their just prerogatives, and befriended them as his companions in arms, and counsellors in his administration. The houses of Erlach and Bonstetten

stetten still celebrate the munificence of this their early patron; and of the many that are extinct, the charters still bear witness that this order, far from exciting the jealousy of the monarch, was on all occasions the object of his peculiar countenance and protection.

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Although in the many contests he had with the prelates he never suffered either hypocrisy or superstition to warp him in the conduct his reason dictated; and though he actually resumed several estates, advocacies, and franchises, which the priests had craftily obtained from his ancestors or the empire; the church however partook at all times of the support and munificence he ever displayed towards his other subjects. Several convents when necessitous were relieved by his exchequer. Aware how important the honour of the sacerdotal order is in a well regulated state, he insisted on the respect and deference due to every rank in the hierarchy: but on the other hand, he steadfastly resisted all claims of exemptions from the public charges, which religious establishments were ever solicitous to arrogate; and from which, as they increase the burthens of the laity, the clergy, if they knew their true interest, would at all times cautiously abstain. The Bishop of Lausanne and the Abbot of Einsidlen were by him raised to the rank of princes

c. The  
Clergy.

CHAP.

V.



princes of the empire : the bishop was invested at a congress held in his metropolitan seat between Rudolph and Pope Gregory the Tenth ; the latter of whom on this occasion consecrated the cathedral. Such was the splendour and sumptuousness of this solemnity, that Rudolph expended no less than nine hundred marks of silver, a sum exceeding, in those days, the annual income of the wealthiest baron, merely on his apparel ; and the Abbot of St. Gallen, who attended at the ceremony, found himself compelled to sell his seignury of Gruningen to the house of Hapsburg, in order to satisfy the demand of his landlord. In nothing did Rudolph display his wisdom more than in the impartiality with which he provided for the welfare, and asserted the privileges, of every rank and description of his multifarious subjects.

Proposes to  
revive the  
kingdom of  
Burgundy.

Rudolph now formed the project, as soon as he should have restored order and subordination in the empire, and added to the hereditary domains of his house the territories that would enable him to execute his plan, to revive the ancient kingdom of Burgundy, in favour of Hartman, his second and darling son. The acquisitions he had in view for this purpose involved him in a war with Savoy, the issue of which proved successful, though not towards the end for which it had been undertaken.

Peter Count of Savoy, whose genius and dexterity had secured to his house as great an ascendancy in the Roman, as Rudolph had obtained for his family in the Germanic parts of Helvetia, having ended his days at Chillon, in the sixty-sixth year of his age, leaving only one daughter, who inherited his allodials; his brother Philip succeeded to the country; and the burghers of Berne, awed by the calamities of the times, agreed to surrender to him all the tolls, the mint, and the perquisites of appeals in their city, until such time as the empire should have a legitimate and permanent chief. No sooner had Rudolph established his authority in the empire, than he came to the Aar and the lake of Geneva, probably not so much for the sake of the interview with Pope Gregory, as to retrieve the rights of his crown in those parts. The Berners, according to the tenor of their engagement, forsook Philip, and placed themselves under the supremacy of the empire. The two rival princes upon this were preparing for war, when a temporary accommodation was with difficulty effected by the mediation of the Pope and the King of England.<sup>30</sup> Rudolph however having subdued Ottocar, and his son Hartman being arrived at the age of maturity, various pretences soon blew up the flames

CHAP.  
V.Wars with  
Savoy.

1268.

1275.

<sup>30</sup> Edward the First.

which

CHAP.

V.

1281.

which had been thus imperfectly suppressed. Rudolph found plausible motives of war, not only against Philip but also against his two sons-in-law, the Counts of Upper Burgundy. He took Montbelliard, and pursued the counts to the walls of Besançon; but finding himself unable to reduce that place, he gladly accepted a conditional submission, and hastened to the assistance of the Friburghers in Uchtland, who complained of the heavy exactions of Count Philip of Savoy. In the partition of the estates of Kyburg, after the death of Count Hartman, the title to the advocacy of the city of Friburg remained some time in abeyance between the houses of Hapsburgh and Savoy; and though at length possessed by the latter, yet Rudolph thought himself authorized both by right of inheritance, and as head of the empire, to espouse the cause of the burghers. No one distinguished himself more in his partial warfare than his beloved Hartman; whose loss (what are the hopes of man!) he had to deplore, soon after he had made an advantageous peace with Philip. Hartman, full of youthful ardor and filial duty, embarked with many noble attendants on the Rhine, to meet his royal father: being arrived near Brisach, where the navigation of the river is impeded by shoals and islets, the boat was upset, and the hopeful prince, together

together with his whole retinue, met with an untimely end.

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V.

A second war soon after broke out between the same parties, occasioned by the insults offered by the friends of Philip to the bishop and noble citizens of Lausanne, whom they drove out of the town; and whose dwellings they demolished. Rudolph determined to put an end to the perpetual and fatal collision of authorities that had so long distracted this province: he advanced with considerable forces, took Morat, passed by the ancient Aventicum, and had reached the gates of Payerne, when Pope Martin the Fourth, Margaret the widow of St. Lewis, and Edward the First of England, mediated a second accommodation, by virtue of which, Payerne, Morat, and Gummien,<sup>31</sup> were ceded to Rudolph, and his right to appoint a commissary at Lausanne was acknowledged.<sup>32</sup> Thus did the steady intrepidity of Rudolph recover all the castles and domains, which the Counts of Savoy had gradually wrested from the empire; and compelled them, at least to suspend, if not wholly to relinquish, their selfish views upon Lausanne and Friburg. They retained, however, all that before the time of

1285.

<sup>31</sup> Condamine.

<sup>32</sup> Richard de Corbiere appears as Imperial Commissary at Lausanne in the year 1285.

CHAP.  
V.

Count Peter had not been deemed imperial dependances; the important castle of Chillon and its tetrity; the five Chattelanies which Peter had acquired;<sup>33</sup> and the homage of the Lords of Gruyeres, Oron, and Blonay, whose lands lay opportunely for the command of the mountains, the Chablais and the Valais.

1290.

Amadeus the Fifth, nephew and successor of Philip, was also, in a dispute that arose between Aymo Count of Geneva and the clergy and inhabitants of that city, invested by the latter with the office of episcopal surrogate, the prerogatives of which he extended to a degree far beyond what those who had nominated him intended to authorize. Under the specious pretence of protecting the extensive trade of the city, he obtained the superintendence of the markets, of the Lombard bankers, and all the strangers from Italy, France, and Germany, who were drawn hither by the convenience of the situation. The insolence of his officers soon convinced the citizens of their imprudence in calling in a superior force to restrain one more feeble. After much civil discord, and some bloodshed, an agreement was at length obtained, by which Amadeus reserved the homage of the Count of Geneva, and even prevailed on Beatrice, daughter of Count Peter, mother to the

<sup>33</sup> Lesclées, Iverdun, Moudon, Romont, and Rue.

dauphin of Vienne, and sovereign of Gex and Faucigny, who had interfered in the contest, to acknowledge the paramount authority of Amadeus over all her hereditary domains. -

CHAP.  
V.

Rudolph, after the death of Philip, recollect- With Berne.  
ing how reluctantly the Berners had aided him in his wars against Savoy, resolved to let them feel the effects of his resentment. A boy was found assassinated in Berne; and because every deed of horror was in those times imputed to the Jews, some of them, after having been tortured into confession, were broken on the wheel; and the remainder of the unhappy Israelites were banished from the city. They being fiscal dependants on the empire,<sup>24</sup> laid their complaints before Rudolph, who sent a mandate to the magistrates respecting the sentence; and who, being apprized that the Berners shewed no disposition to obey his orders, and that the Count Palatine of Upper Burgundy was meditating a revolt, determined upon a campaign, and pitched his tents, with fifteen thousand men, on a plain near Berne. This attempt on the city proved unsuccessful; the rapid Aar, strong walls, and a vigilant and intrepid garrison, presenting obstacles which no general of

1298.

<sup>24</sup> *Fiscalini, Camerlingi*, were a kind of vassals dependant on the exchequer; a condition, of which we have no example at present.

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V.

those days knew how to surmount. A stratagem was however devised, which was deemed infallible. Great rafts of timber, intermixed with tar and brimstone, were set on fire and floated down the Aar, with a view to communicate the flames to the bridge, and thence to spread the conflagration throughout the town: but this formidable project proved likewise abortive by the timely precaution of the burghers, who had driven stakes into the bed of the river above the bridge, which detained the destructive engines, and averted the ruin of the city. Rudolph was now deterred from prosecuting the siege, both by the stubborn resistance he met with, and the danger of consuming much time in an uncertain enterprize, which, not having the resources of permanent taxes and standing armies, he knew would be attended with fatal consequences. The Berners, now, in their turn, marched out to take vengeance on the Lords of the Oberland, for the hostile disposition they had on this occasion shewn towards their city. In vain did Count Peter of Gruyeres, and the Barons of Weissenburg and Gestellen, attempt to defend their strong barrier: their troops fled before the invaders; and Anthony of Blankenburg, their leader, seeing the prosperous fortunes of the arms of Berne, came to reside in the city, and was received a burgher.

In the next month of April, Brugger, one of the bannerets of Berne, perceived, while sitting near the lower bridge, a troop of armed men advancing from behind a neighbouring hill:<sup>35</sup> uncertain of their numbers, which the eminence concealed, but regardless of danger in the cause of his country, he snatched the banner, assembled all the burghers of his ward whom he could collect, and sallied forth to meet the suspicious force. This force was an army led on from the Argau by Rudolph, son to the old king. Brugger, to whom the death of a few brave men appeared less detrimental than the panic their flight would occasion, stood his ground with undaunted firmness; and while the whole city was arming, he and his companions fell in the bed of honour. The whole body of burghers having now marched out, Walo of Gruyeres perceived the banner in the hands of the enemy; he threw himself among them with irresistible fury, recovered it, and brought it back, torn and stained with the blood of his fellow-citizens: his posterity in memory of this action, have ever since been distinguished at Berne by the name of the brave: and the bear in the banner was henceforth placed in a red field, with a white bend, to commemorate that it had, on this occasion, been rescued by the

<sup>35</sup> The Shosshalde.

CHAP.  
V.

blood of the citizens. The event of this enterprise was so decisive, that the royalists relinquished all further attempts, and only stipulated that the Berners should found an annual mass at Wettingen, for the repose of the soul of Lewis of Homberg, whom they had slain in this encounter. The Jews were restored long after the king's death, on paying one thousand marks to the burghers, and five hundred to the avoyer, as an indemnification for the losses the city had sustained on their account. Its rulers in those times were wise and unanimous, and Berne was invincible; in our days they have proved selfish and divided, and the state has perished.

With the  
Count of  
Burgundy.

Rudolph was more successful in another quarter. In one of the intervals of the war with Berne he marched over the Jura against Otho, the Palatine of Burgundy,<sup>36</sup> who he knew

<sup>36</sup> The various coeval titles of *kings*, *dukes* and *counts* of Burgundy, cause some perplexity in the history of the middle ages. Of the **KINGS** descended from Gundioch and Boson, some account may be gathered from our second Chapter. The line of **DUKES** was of the Capetian race; the father of Hugh Capet appearing in the tenth century with the title of Duke of Burgundy. Otho, his second son, continued this branch, which with an interruption in 1361, descended through twenty generations to Charles the Bold, who perished at Nancy, and left his extensive dominions to his only daughter Mary, by whose marriage with the Emperor

intended to withdraw his allegiance, and the sovereignty of his chief city Besançon, from the empire, and to transfer it to the King of France. Otho's camp, strong in auxiliaries from Picardy and Flanders, was covered by the river Doux; and King Philip le Bel tried to intimidate the Germans by the renown of the Gallic arms: but Rudolph answered his threats in terms such as he was wont to use when he declared that, 'with forty thousand foot and four thousand horse of German toops, he feared no power upon earth.' Famine (the effect of devastation) having invaded Otho's camp, and Rudolph having crossed the river,

Emperor Maximilian the First, they devolved to the house of Austria. The counts traced their origin up to the Kings of Lombardy, one of whom, Adalbert, married the grand-daughter of a Duke of Burgundy. Her son, Otho William, was, towards the end of the tenth century, created Count of Upper Burgundy, since called the Franche-Comté. Beatrice, his fifth descendant, and heiress of the county, married the Emperor Frederick Barbarossa: and their third son Otho was constituted her successor, and assumed the title of *Count Palatine*. His daughter Alice was mother to Otho or Othelin, who succeeded in the county, and opposed King Rudolph in that province. Margaret the grand-daughter of this Otho, was grandmother of another Margaret, who, in 1384, conveyed this rich inheritance by marriage to Philip the Bold, Duke of Burgundy, by which means the duchy and county became thenceforth united.

the

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V.

the Burgundian lords exclaimed, ‘ why do we  
‘ fight for the French monarch, who sends us  
‘ no assistance ?’ The Palatine hereupon yielded  
to the valour of the German king, and to the  
persuasions of Robert Duke of Burgundy,  
brother to Rudolph’s second queen, and agreed  
to pay homage to the empire for the county  
Palatine of Upper Burgundy. The king about  
the same time obtained also the feudal sove-  
reignty over Neuchattel, which Count Ru-  
dolph voluntarily surrendered ; and the tenure  
of which was soon after transferred to John of  
Chalons, from whom it has since devolved to  
the present house of Orange.

5. Rudolph  
in his old  
age.

1261.

A succession of weak and improvident pre-  
lates since Berthold of Falkenstein, had greatly  
reduced the wealth and splendour of the abbey  
of St. Gallen, when William de Montfort, of a  
Rhætian family, whose noble descent vanished  
in the ages of obscure antiquity, succeeded to  
the vacant chair, and received the investiture  
in the days when Rudolph and his progeny,  
dazzled by the lustre of their fortune, aspired  
to still greater exaltation. William unhappily  
incurred the king’s implacable enmity. Re-  
strained by the narrow circumstances of his  
abbey, which forbade his making the appear-  
ance at court that became his birth and station,

he

he withdrew abruptly, and omitted to assign a plausible motive; and this was ascribed to envy at the splendour of the royal house. The abbot also, being bent on retrieving the affairs of the abbey by strict economy, incurred the resentment of several canons; and moreover, yielding to the suggestions of evil counsellors, he exerted a severity towards the people, which soon excited murmurs and weakened their attachment. These murmurs, and the remonstrances of the canons, reached the ears of Rudolph, who gladly embraced the opportunity to gratify his private pique. His virtues did not stand the test of prosperity: and he lost sight of the candour and forbearance which had on a former occasion availed him with the Abbot Berthold. Under the specious pretence, which he now often held out, that the public tranquillity was in danger, he entered with force upon the lands of the monastery, and prohibited, under severe penalties, any aid or countenance being given to the abbot. William was soon abandoned by all who preferred the favour of the mighty monarch, to a due sense of genuine magnanimity. He sued for peace, but the terms offered by Rudolph were too exorbitant: he then fled to various castles; and, as Providence never leaves virtue wholly destitute, received

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V.

ceived relief from several menial servants and peasants, till at length he arrived at Bregenz. Here he was joined by several of his subjects of St. Gallen, who, with joyful countenances, apprized him that his persecutor Rudolph was no more, and that the chapter and city were impatient for the day when they might once more behold their prince and abbot. He instantly returned, and met with the cordial reception the purity of his intention had at all times merited. Specious language and artful insinuations, may, for a while, mislead a people: but the fascination is seldom of long continuance; and awful is the resentment, when they discover that insult has been added to injury.

His death.

1291.

In the eighteenth year after 'the grace of God,' as he described his exaltation, 'had raised him from the huts of his ancestors to an imperial throne,' in the seventy-fourth year of his age, was Rudolph first attacked with symptoms of a dangerous malady. He was hastening to Spire to repose, as he intimated, amidst the tombs of many preceding kings and emperors, when his fate met him at Gemersheim on the Rhine, a town of his own foundation. His hereditary dominions had been enlarged by the acquisition of Kyburg, Lenzburg, Baden, Zofingen, and several advocacies: but his greatest accessions

accessions he owed to his victories over Ottocarus King of Bohemia, Margrave of Moravia, and Duke of Austria, Stiria, Carinthia and Carniolia, who had opposed his election to the empire. Five years after he had reduced that power,<sup>37</sup> the king, adorned with all the pomp of royalty, and surrounded by all the princes, whose concurrence was indispensable in all new regulations in the empire, seated himself on his throne in the palace at Augsburg, and declared, 'that in order to enable his sons Albert and Rudolph to display the full extent of their inviolable loyalty and zeal for the glory of the empire, he had resolved to raise them to an eminent rank in the college of princes.' Hereupon in the plenitude of his power, and with the consent of the electors, he invested them, by the delivery of banners, with the Dukedoms of Austria, Stiria, the Windismark and Carniolia: he soon after granted them also the Margraviate of Burgau. To such eminence rose a single count, of a race whose very name had scarce reached the contiguous countries. By the enlargement of his bounds to the furthestmost confines of Alsace and Austria, he in a manner hemmed in all Upper Germany, and kept in awe the French king, and many of the Slavian

<sup>37</sup> December 22, 1282.

CHAP. V. princes. His house, by his address and wisdom, rose to a power which gradually subdued nations and countries, the very existence of which was then unknown. No race has so often endangered the freedom of Europe; and its splendid career has never met with any check, but what it derived from its own neglect of that moderation, which had ever been the great art of Rudolph.

## CHAP. VI.

*Albert of Austria.*

ALBERT of Hapsburg, Duke of Austria, CHAP.  
VI.  
 A the only surviving son of King Rudolph,<sup>1</sup> His Cha-  
racter.  
 had during a nine years administration of his  
 own territories, and the share he had long borne  
 in all the transactions of his father's reign,  
 given such early proofs of his supercilious tem-  
 per and ambitious views, as filled all the neigh-  
 bouring states with reluctance against the fur-  
 ther aggrandizement of the house of Hapsburg.  
 The character of no prince perhaps, who has  
 moved in so eminent a sphere as Albert, has  
 ever been so variously represented, by the jea-  
 lousy and hatred of some whom he had offend-  
 ed on the one hand, and on the other, by the  
 fear and adulation of those who had adhered  
 to his family and person.

He possessed an inflexible perseverance. The

<sup>1</sup> Hartman the king's second son perished, as we have seen, in 1282. Rudolph, the third, died in 1290, and left the ill-fated John, of whom more hereafter. Charles, the fourth son, died an infant. Of his six daughters, five were married to German princes, and the sixth to the King of Hungary.

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improvement of his treasures and armies, the latter of which he commanded with admirable skill and courage, seems more strongly to have actuated his conduct, than the more generous principles of sound policy and justice. Eager to extend his dominions, he scorned the trammels of the laws which controled his power. He was impressed with a laudable spirit of order and propriety, which manifested itself in his high commendations of modesty in women, learning in the clergy, and valour in the soldier. Such was the controul he had over his passions, that when most violently agitated, he could still command his utterance; nor did he ever allow himself to be diverted by the allurements of pleasure: and yet, neither was he beloved in life, nor after death was his memory revered either by his kindred, his father's friends, his subjects, or the German nation. His wealth surpassed that of all other princes; and his forces, consisting of Hungarian light horse, heavy-armed cuirassiers, a select body of knights in rich uniforms, and an infantry of young freemen, were both numerous and highly trained. For sieges, he had a hundred waggons loaded with rams, cats, pitch-balls, and all manner of destructive implements. So stern was his severity, that, in an insurrection, he compelled the magistrates of Vienna to come to him

him bare-headed and bare-footed to a neighbouring mountain, and surrender the keys of their city; and there, in their presence, he tore every document of their obstructive privileges. His insatiate thirst after wealth and territory, his stubborn pertinacity, an unseemly disorder in his eyes, and a gloomy aspect, all these forbidding features rendered him so odious, that even virtue in him wore the semblance of selfishness. The man whom all hate, can never govern all. Albert was about forty-two years of age when he succeeded to the hereditary dominions of his father.

The Swiss, as soon as they received the intelligence of Rudolph's death, and of the fearful prospect then before them, held an assembly of the whole nation, and renewed their ancient league in the following terms. 'Know all men that we, the people of the valley of Uri, of the community of Schwitz, and of the mountains of Underwalden, seeing the dangers of the times, have solemnly agreed, and bound ourselves by oath, to aid and defend each other with all our might and main, with our lives and property, both within and beyond our boundaries, each at his own expence, and against every enemy whatever who shall attempt to molest us, either singly or collectively. This is our ancient compact. Whoever

First compact of the Swiss.

bath

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' hath a lord let him obey him according to his  
 ' bounden duty. We have decreed to receive  
 ' no magistrates in our valleys but such as are  
 ' of our own country and resident among us  
 ' Every difference among us shall be decided by  
 ' our wisest men; and whoever shall reject their  
 ' award, shall be compelled by the remainder  
 ' of the community. Whoever shall wilfully  
 ' commit a murder, shall suffer death; and he  
 ' who shall attempt to screen the assassin from  
 ' the hands of justice, shall be banished. An  
 ' incendiary shall forfeit his franchise as a na-  
 ' tive; and whoever harbours him shall repair  
 ' the damage. Whoever robs, or molests ano-  
 ' ther, shall make full restitution out of the pro-  
 ' perty he may possess among us. No one  
 ' shall distrain without the sanction of a magis-  
 ' trate. Every man shall acknowledge the au-  
 ' thority of one of the chief magistrates in either  
 ' of the valleys. If in an intestine feud, one  
 ' of the parties shall refuse to accede to a fair  
 ' compromise, the people at large shall join the  
 ' opposite party. This covenant, for our com-  
 ' mon welfare, shall, God willing, be perpetual.'<sup>2</sup>

Rudolph of Lauffenburg,<sup>3</sup> Bishop of Con-

<sup>2</sup> This is the oldest document of the Swiss Confederacy; it is dated in the beginning of August, 1291.

<sup>3</sup> Rudolph of Hapsburg, uncle to king Rudolph, was the founder of the line of Lauffenburg: the bishop here mentioned

CHAP.  
VI.An alliance  
against Al-  
bert.

stance, uncle and guardian to Hartman of Kyburg, learnt that Albert meant to dispute the right of his ward to the independence of his hereditary domains; and was hence induced to enter into a defensive alliance with Count Amadeus the Fifth of Savoy, against the sinister designs of his rapacious cousin. It was therein stipulated, that both Kyburg and Lauffenburg should assist Amadeus in the recovery of the towns of Laupen and Gummizzen, and all that King Rudolph had wrested from the house of Savoy; and that the contracting parties should unite in the protection of Berne and its citizens, against all unlawful claims: for Amadeus on receiving the long wished for tidings of the death of King Rudolph, had not only prevailed on the chapter of Payerne to reinstate him in the advocacy of their abbey, which had formerly been held by his uncles: but also obtained from the Berners, for a pecuniary consideration, the like office in their city, until such time as a new king should be elected. This Bishop of Constance, whose irreconcilable enmity Duke Albert had incurred, had great influence in Thurgau, not only through the ascendancy of religion, but also by the extensive

tioned was his second son: the third son, Everard, married the heiress of Kyburg, and revived that title in his line. The above-named Hartman was son to this Everard.

domains

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VI.

domains his see possessed in that province. The Abbot of St. Gallen readily entered into the alliance, as also the city of Zurich, which was now wholly estranged from the house of Hapsburg. This city moreover agreed to a triennial league with Rapperswyl against the duke: and the affections of the burghers of Basle, in whose city the mother and brethren of Albert lay interred, were likewise wholly alienated from him. Such were now the general and rooted prejudices entertained against him, that Adolphus Count of Nassau, a prince of no decided superiority, and not Albert, the powerful son of the late formidable monarch, was chosen to fill the vacant throne of Germany.

1292.  
Hostilities

During the struggle for the Imperial crown, the burghers of Zurich, headed by Frederick Count of Tockenbourg their captain, attacked and defeated the burghers of Wintherthur, commanded by their avoyer Hopler.<sup>4</sup> Elated with their first success, they advanced towards the town, which, with the help of a reinforcement they expected from the bishop of Constance, they were confident of reducing: but Hugo Count of Werdenberg, the duke's com-

<sup>4</sup> This expedition appears to have been undertaken in behalf of the Bishop of Constance.

mander

mander in these parts, resolved to try the fortune of a day, before the arrival of the auxiliaries. It chanced that a messenger dispatched by the men of Zurich to the bishop fell into the hands of Hugo, who thereupon instantly sent a trusty person with a supposititious answer, as coming from the bishop, to this effect: "We rejoice at the news of your victory, and will be with you to-morrow at noon. This letter will be delivered to you by one who is better acquainted with the bye-roads than your messenger: acquaint us through him which way we shall advance to meet you." Hugo affixed to this scroll a seal from a letter he had himself formerly received from the bishop. In the course of the night he caused an episcopal banner to be prepared. Another messenger was also dispatched with instructions to the avoyer Hopler, and the garrison was meanwhile reinforced by a detachment from Shaffhausen. On the morrow, while the unguarded troops of Zurich were viewing with joy the approach of the episcopal banner, they found themselves on a sudden furiously assailed by Count Werdenberg and Hopler, and sustained a signal overthrow, to the indelible disgrace of their banner, and disparagement of their military fame. Few were suffered to escape; and by this well-conducted stratagem Zurich was ultimately com-

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elled to accept of a separate peace with Albert.

The duke, indignant at the unsuccessful issue of the election to the empire, came now with hostile arms into the bishopric of Constance. He burnt and demolished several castles, and besieged William Abbot of St. Gallen in his town of Wyl. The burghers of Zurich, whom an act of clemency had brought back to his interest, joined his forces, and assisted in compelling William to relinquish his town, which was soon after burnt; while all its inhabitants, two only excepted, who remained on the ashes of their desolated dwellings, were transplanted to Schwarzenbach, a neighbouring town built by the Counts of Hapsburg. The abbot fled to St. Gallen: the new king Adolphus proclaimed a general amnesty; and Albert returned to his Austrian dominions.

The cities, during the short interval of the reign of Adolphus, obtained not only the confirmation of their former privileges, but also various additional and more extensive franchises. Zurich and Berne were fully invested with the higher or criminal jurisdiction, and exempted from all appeals to foreign courts, except the Aulic tribunal of the Empire. The town of Mulhausen received the same exemptions from tolls which were enjoyed by the imperial

perial cities, and the right of admitting none but natives to the office of chief magistrate. Berne and Friburg were confirmed in their compact, which stipulated that six of the most respectable senators of each city should determine any difference that might arise between them. Soleure likewise entered into an alliance with Berne for mutual defence. Lewis of Savoy acceded for ten years to the treaty his brother Amadeus had concluded with Berne for the term of his life. The barons in the mountains of the Oberland, who but too often, in the pride of their inaccessible security, disturbed the public peace, were now restrained, chiefly by an engagement which the Bishop of Sion, Count Josselin of Visp, and the community of Leuk, entered into with Berne, to check their depredations. Berne was now in a manner the arbiter of the fate of all Helvetia, the parent of a multitude of dispersed burghers, whose confidence the rulers considered as the main prop of their own authority, and the source of the public felicity of their thriving state. Sixteen selected burghers<sup>5</sup> were about this time added to the council,<sup>6</sup> to whom were referred

<sup>5</sup> Seizeniers.

<sup>6</sup> The great council of Berne, at this period, appears to have consisted of two hundred members. The first mention of it is about coeval with that of the English House of

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all misdemeanors, complicated law cases, public wrongs, and contracts both within the city and among its out-burghers.

The king who now, less through his own inertness than the machinations of Albert, saw his fortunes rapidly declining, was not however forsaken by the burghers, husbandmen, and shepherds of Helvetia. The Swiss, on receiving a charter of immunities from him, swore allegiance to his government: and the Abbot William of St. Gallen, after having repeatedly, but in vain, sued for reconciliation at the hands of Albert, repaired to, and resided some years at, the court of Adolphus: who, although restrained by the decay of his condition, which had never been adequate to his dignity, gave notwithstanding ample testimonies of his grateful partiality for the prelate; and in his latter days assigned to the abbey various imperial revenues in its vicinity. Twenty helmets<sup>7</sup> from St. Gallen fought by his side in his last decisive battle; in which even the abbot (long inured to

Commons. A counsellor who attended the meetings, received at every sitting one plappart (about five English pence) from the serjeant at arms; if absent he paid the same as a fine.

<sup>7</sup> A helmet even now, in the armorial bearings, denotes a gentleman. Crowned helmets were appropriated to nobles.

adversity,

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adversity, but ever worthy of the venerable name of Montfort) mingled with undaunted courage; until the king, yielding to extreme despair, rushed into the thickest of the enemy, and fell near, if not by the hands of, Albert.

This fatal event struck terror into all the people of the Alps who had sided with Adolphus. The abbot with great difficulty obtained leave to withdraw to St. Gallen, where he survived some years in humble penury. A rumour was spread that Albert's party in the senate of Friburg, were preparing to arm their city, and even to instigate the Count of Savoy and his great vassals against Berne. The deputies from the Swiss repaired to the new-elected king,<sup>8</sup> at Strasburg; but they struck terror into their countrymen when they brought back the answer, 'that Albert meant soon to propose an alteration in their government.'

1298.

Many lords upon this drew out their forces against Berne, and the burghers collected auxiliaries from their allies of Soleure and Kyburg; but their numbers were far inferior to those of their adversaries: still, however, they made no offer of accommodation; being well aware that a free people exposes itself to inevitable ruin, if, in a just cause, it yields to the invasion of despotic

Expedition  
against  
Berne.

<sup>8</sup> Albert had been elected King of the Germans on the 23d of June, 1298.

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power. News having been brought that the enemy had passed the boundaries, the burghers marched out under the conduct of Ulrich d'Erlach, a brave and experienced knight. They found the enemy advantageously posted on a hill,<sup>9</sup> and spreading in formidable numbers over a plain<sup>10</sup> near Wangen. They called to mind the day of the Shosshalde, advanced in close array, and being within distance, Erlach sounded a charge: the bugle horn suddenly re-echoed throughout the forest, and the men of Berne rushed with united and irresistible fury upon the foe. The enemy's cavalry was soon thrown into confusion by the unexpected shock; and their horses, frightened by the vehement shouts of the assailants, became intractable. Many stood aghast, whilst others fled; and a great number who attempted scarcely any resistance, fell in the field of battle: the whole body of infantry was surrounded and taken. The conquering bands, headed by Erlach, entered Berne in triumph, and displayed to their exulting parents and emulating children the trophies of their victory, the banner of the foe, and numerous ranks of disarmed captives. The banner was deposited in the minster of St. Vincent; and solemn thanksgivings were offer-

<sup>9</sup> The Donnerbühel.

<sup>10</sup> The Jammerthal.

ed up to the God of Hosts, who had protected the cause of justice and patriotic virtue.

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Albert before Zurich.

The king, after a diet he had held at Nuremberg, came to his hereditary dominions on the Rhine, and having received complaints from his subjects of Kyburg against the burghers of Zurich, encamped on a hill near the city, and suffered his men to seize on all the cattle that pastured near the walls. The subordination of ranks was not as yet so accurately defined, but that many nobles were at the same time warriors,<sup>11</sup> merchants, husbandmen, and shepherds. It is recorded that the king's son having one day admired the venerable aspect of an old man who was dexterously driving the plough, the excellence of his horses, and the comeliness of a sprightly youth who attended him, was not a little surprized on the following day to see the same old man as Baron of Hegnau, riding into his father's court with his apparent heir, the companion of his rustic toils, by his side, and a large retinue of vassals and domestics. The burghers of Zurich, confiding in their vigilance,

<sup>11</sup> The nobles of Rordorf were at the same time knights and silk-merchants: the Manesses carried on an extensive trade, and were eminent in arms. England has not as yet adopted the nice demarcation of ranks to which the continent owes, perhaps, a great part of its recent calamities.

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did not even shut their gates : they declared to the king, ‘ that they were willing to yield the obedience they owed to him, conformably with their allegiance to the empire, and the liberties handed down to them by their forefathers ; and that as to the charges of the Kyburghers, they had full as many to allege against them, but that they would willingly refer the whole to the decision of arbitrators.’ The king saw from the eminence on which he had pitched his tents, a formidable assemblage of armed men in the streets of Zurich, the markets plentifully stocked with provisions, and the whole city amply prepared for a vigorous defence ; whilst his own army was weak in numbers, and destitute of all necessary implements and stores. Thus circumstanced, he received the deputies of Zurich with condescension, confirmed their privileges, and then entered the city amidst the joyful acclamations of the burghers.

Advocacy  
of St. Gallen.

Henry Bishop of Constance, of the house of Klingenburg, who had, in the weightiest concerns of the state, given both to Rudolph and Albert repeated proofs of his zeal and conduct, solicited now the reinstatement of the Abbot William into the royal favour. William had scarcely been apprized that Albert had in fact relented, and that he meant to surrender the town of Schwarzenbach to the abbey, when he expired ;

expired; as if the purpose of his existence, the affording to the world a striking example of a great mind struggling with adversity, had been now accomplished. The king availed himself of a transient return of popularity, to take the advocacy of the abbey into his own hands, which he effected without exciting much alarm, the successor to the abbey having incurred general dislike; and the name of Herman de Bonstetten, who had in the last period of a meritorious life been constituted by Albert Imperial Prefect in this province, being universally revered both in the city and abbey of St. Gallen.

Burcard of Schwanden in the country of <sup>of Glaris</sup> Glaris, who, as an imperial feudatory, had, in the wars between Adolphus and Duke Albert, sided with the former, did not escape the resentment of the new monarch. His castle, and those of his vassal Berthold, at Schwanden, Soole, and Schwendi, were all taken and demolished. Being thus deprived of all his property, he took refuge with the knights of St. John, among whom he signalized himself at the taking of Rhodes; and at length died grand-master of the order in Germany. While this brave man was thus the sport of relentless power, many from among the best families of Glaris<sup>12</sup> with-

<sup>12</sup> Of the Tschudis, Netstallers, Frauler, Stuki, Kirchmatt, &c.

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drew into the valleys of Schwitz and Uri, and to the city of Zurich; for the king having settled the advocacy upon his own family, they saw just cause to dread the total extinction of their liberties, and resolved to seek a country where freedom as yet seemed less precarious.

Other acquisitions  
of Albert.

Albert at this time compelled also the Abbot of Einsidlen<sup>13</sup> to surrender to the house of Austria the advocacy of his abbey, and with it the supremacy over all the lands which had long been the objects of contention between the monastery and the people of Schwitz. He secured also to himself and his family the provostship over the free people of Lax in Rhætia; and the reversion, after the extinction of the house of Rapperswyl, of the tolls on mount St. Gothard. Either as chief of the empire, or by purchase, he likewise procured the supreme authority in the high valleys of Hasli, over the lands of the monastery of Interlachen in the Oberland, and down the Argau; where many barons dwelt in lofty castles, in perpetual strife, some in penurious want, and all in suspicious fears and jealousies. Austria itself took umbrage at Albert's increase of power in the impregnable fastnesses of the Alps, and all his subjects acknowledged that his rapacity had no bounds.

<sup>13</sup> John, brother to the abovementioned Burcard of Schwanden.

Anxious to unite under his sovereign sway all the districts that intervened between his hereditary dominions; and impatient of the control offered to despotism by the franchises of the people, and the obstructive authority of their domestic states and magistrates; Albert sent the Lords of Oxenstein and Lichtemberg to the valleys of Schwitz, Uri, and Underwalden, with the following proposal: ‘ You will do wisely both for yourselves and your posterity, if you will wholly commit yourselves to the protection and guidance of the royal house. The advocacies of all the abbeys which own estates and vassals among you, and all that Kyburg and Lenzburg once possessed in your valleys, you are well apprized are now the undoubted property of the king: and you must needs be aware that you cannot resist his numerous and well-disciplined forces. The monarch would willingly consider you as his favourite children. He is the grandson of the Count of Lenzburg, your former advocate; and son to King Rudolph, a brave, powerful, and victorious prince, to whom it was both honourable and expedient to pertain. The desire of Albert to receive you under his immediate patronage does not, you may be assured, proceed from any wish to possess your cattle, or to extort any part of your scanty property;

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His conduct towards the Swiss.

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‘ property ; but merely becuse he has heard from  
‘ his father, and has learnt from the records of  
‘ history, that you are a brave and loyal people.  
‘ He loves brave men ; and will pride himself  
‘ in leading you to victory, in enriching you  
‘ with the spoils of war, and promoting your  
‘ welfare by all manner of profitable grants and  
‘ privileges.’ The nobles, freemen, and all the  
people of the valleys, answered ; ‘ We well re-  
‘ member what a glorious leader and firm pro-  
‘ tector we had in the late King Rudolph, and  
‘ we will ever acknowledge it to his posterity :  
‘ but we are partial to the condition of our fore-  
‘ fathers, and are desirous to continue in it ; all  
‘ we desire is, that King Albert will confirm us in  
‘ the enjoyment of it.’

The people hereupon sent Werner Baron of Attinghausen, their landamman, to the court of Albert, to solicit the confirmation of their charter of liberties, and to ask for the appointment of a criminal magistrate : but the king being engaged in a war with the electors, and at no time easy of access, referred the application to his commissaries at Rotenburg and Lucern ; and sent to Uri a peremptory order not to demand any longer the land-tax that had been usually paid by the abbey of Wettingen. The Swiss, seeing themselves thus slighted and unprotected, entered into a decennial league with  
Werner

Werner Count of Homberg, lord of the marches towards the lake of Zurich; who, by the assertion of some claim, had likewise incurred the king's displeasure. Werner having received an insult, they, prompted by equity, marched against his adversaries in the Gaster, a district at that time dependent on the king.

Meanwhile, lest their submission to the Austrian delegates, who now made their first appearance in these valleys, should be construed into an acquiescence in the assumed authority, the Swiss renewed their application for an Imperial commissary. King Rudolph had been accustomed to name to that office one of the great counts, whom in all capital cases the people invited into their valleys. Albert sent them Herman Gesler of Bruneck near Hapsburg; and Berenger of Landenberg, a man of good descent, but whose cousin Herman, though high in favour at court, was universally abhorred in Austria.

These imperial bailiffs,<sup>14</sup> having no castles or

<sup>14</sup> The German word *vogt* has numberless significations. It often means a guardian, an administrator, a steward, and even a parish constable and beadle. We have explained its import in *Shirm-vogt* and *Kast-vogt* (chap. iii. note 16.). *Reichs-vogt* we have occasionally rendered by imperial commissary or prefect. The civil governors sent by Austria into the Swiss valleys, bore the name of *Land-*

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residences of their own, determined, perhaps by order of the king, to fix their constant habitations in the valleys. Landenberg took up his abode in one of the king's castles, on a pleasant eminence near Sarnen in Underwalden; and Gesler, because there was no public edifice for him in the district he came to administer, built a strong castle near Altorf in the valley of Uri, to which he gave a name that must ever be odious to a free-minded people.<sup>15</sup>

The Baron of Attinghausen was eminently distinguished among his countrymen for his ancient descent, his venerable age, his experience in public affairs, his ample fortune, and his genuine and ardent patriotism. Among a people of simple manners, it often happens that particular families are continued for many generations in the higher offices of magistracy. Such were, among the Swiss, the Redings of Bibereck and the Beroldingens, whose descendants have survived the Confederacy for which many of them had bled abundantly. Werner Stauffacher was honoured at Schwitz, both because his father had been an upright magistrate, and he himself was an honest, discreet, and substantial

*vogt*; which, though the word be not accurately descriptive of their functions, we have yet, in compliance with custom, converted into *bailiff*.

<sup>15</sup> *Twing* or *Zwing Uri*, i. e. the curb of Uri.

yeoman.

yeoman. Such were the men in whom the people reposed their confidence, because they had known their fathers, and saw daily proofs of their own intrinsic worth and patriotism. Whenever strangers came among them and pointed out defects, or urged the propriety of reforms, they became suspicious, and clung still closer to the maxims of their forefathers. All innovations, perhaps merely from habit, seemed dangerous to them; the difference of days, in the uniform tenor of a pastoral life, being only marked by the revolving seasons. They lived, for the most part, in scattered habitations dispersed singly in meadows, on rising grounds, and near refreshing springs. Among such a people little is said; but they observe much, and their impressions are deep and permanent: they have leisure for much meditation; and when on their festivals they met at church, they mutually communicated their thoughts, and cleared up whatever doubts might have occurred to them. Such was this people still in our days, when providence decreed that honest candour, guiltless felicity, and unaffected piety, should feel the shock which threatens the subversion of all virtue and religion.

The new bailiffs soon betrayed their tyrannical dispositions. Every trivial offence was punished by long and severe imprisonments, in gloomy, loathsome,

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loathsome, and often distant dungeons. The tolls were raised; and trade was impeded, and in many instances wholly prohibited. The people sent remonstrances to the king at a time when a bailiff had been assassinated in Styria for similar practices. Albert was then engaged in a war with Wenceslaus King of Bohemia, his brother-in-law; and the Swiss in vain sued for redress against the oppressions of Landenberg. The clergy, resenting the decree of the people, that they should, like the rest, be bound to contribute towards the public exigencies, declared in favour of the king. Wolfenshies, a youth of Underwalden, deviated from the maxims of his countrymen and kindred, and accepted from the king the command of the castle of Rossberg in Underwalden; and there was great reason to apprehend that his rashness and ambition would prompt him to acts still more flagitious. The people, who in ordinary times were of a tranquil easy disposition, and had now been long accustomed to spend their days without fear of molestation, to earn by a moderate share of labour a quick succession of rural enjoyments, and to feel themselves secure under the protection of the empire, were now greatly dismayed at the dangers they saw impending.

Whether the king's severity had any specious pretence of justice; whether his exactions had been

been occasioned by his necessities; and whether, in the exertion of his rigour, he ever manifested any kindness towards the Swiss, must now remain unknown. Could such extenuating facts be proved, it might in some degree soften the censure that bears heavy against the monarch, but it could never exculpate the wanton insults inflicted by his ministers. They, as generally happens with mean presumptuous upstarts, displayed on all occasions a sullen haughtiness and contempt of the people, which frequently excites more indignation than actual tyranny. The ancient families, whose names the people ever pronounced with reverence and affection, they called a 'rustic nobility.' Landenberg, riding through Steinen, noticed the house of Stauffacher, its substantial structure, the number and large dimensions of its windows, and showy decorations on its walls, and called out to the proprietor,—'is it not a shame that vile peasants should live in such good houses?' The keeper of the castle of Schwanau, on the lake of Lowertz, in the valley of Schwitz, had ravished a young maiden, the daughter of reputable parents. The shepherds of the Alps, comely in figure, of florid health, artless in their professions, and exhilarated by the splendour of the scenes that surround them, do not (until controlled by matri-

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monial ties, which they hold sacred) restrain the instinct of nature with scrupulous severity; but compliance with them must be sued for, and not compelled, nor requited with contumely. The brethren of the unhappy victim sought out the vile seducer, and slew him. Wolfenshies, coming one morning out of the dale of Engelberg, saw a handsome woman crossing a meadow, near the pleasant village of Alzelen: having learnt that her husband, Conrad Baumgarten, was gone from home, he ordered her to prepare a bath, and gave hints which alarmed her modesty: under pretence of going to undress in an adjoining room, she went in search of her husband, who came instantly, and put to death the base intruder.

Before Baumgarten could be apprehended, and the joint efforts of men like Gesler had time to avenge the death of the keeper of Schwanau, the wife of Stauffacher, recollecting with terror how much their tyrant envied them their house, exhorted her husband to guard against the impending storm. Werner stepped into his boat, and crossed over to his friend Walter Furst of Attinghausen in Uri. Here he met a brisk high-minded youth, who kept himself closely concealed. Walter acquainted his friend 'that this young man came from 'Melchthal in Underwalden; that his name

' was

‘ was Arnold,<sup>15</sup> and that he was his kinsman :  
 ‘ that Landenberg had, for a trifling offence,  
 ‘ seized on his team of oxen ; and that his father  
 ‘ Henry, bewailing his heavy loss, had been  
 ‘ told by one of the bailiff’s officers, that if pea-  
 ‘ sants will eat bread, they may even draw the  
 ‘ plough themselves : that Arnold, unable to  
 ‘ contain his youthful ardour, had struck the  
 ‘ officer, and broken one of his fingers ; that  
 ‘ upon this he fled, and had ever since remain-  
 ‘ ed concealed ; but that the relentless bailiff  
 ‘ had caused the eyes of his aged father to be  
 ‘ put out.’ They now jointly lamented the un-  
 happy state of their country, and that justice,  
 equity, and all their hereditary rights, were wan-  
 tonly trampled upon. Walter moreover attested,  
 that the wise and benevolent Lord of Attinghau-  
 sen had solemnly declared, that the increasing  
 and oppressive innovations were now become in-  
 sufferable. Aware that open resistance would  
 expose them and their country to the relentless  
 fury of their oppressors, they agreed neverthe-  
 less that the measure of their woes was full,  
 and that death was preferable to a tame sub-  
 mission to so ignominious a yoke. Thus resolv-  
 ed, they agreed that each of them should sound  
 the dispositions of his most confidential friends

<sup>15</sup> His patronymic name was Von der Halden ; but history  
 has immortalized his name under that of his native place.

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and relatives ; and for their future meetings they pitched upon the field named Rutli,<sup>16</sup> in a sequestered vale at the foot of the rock Mytenstein, near the boundaries of Uri and Underwalden. Here, in the midnight hour, they often deliberated on the great project they had in contemplation, and each imparted the progress he had made in the prosecution of the meditated revolt. Hither came Furst and Melchthal along secret paths over the heights, and Stauffacher in his boat. Each brought his most trusty friends, who joined in the bold enterprise: here they all freely declared their thoughts, communicated intelligence, and suggested expedients without reserve or apprehension ; and the more hazardous the attempt appeared, the more closely were their hearts united.

1307.

In the night preceding the eleventh of November, came Furst, Melchthal, and Stauffacher, with each ten associates, men of approved worth, and who had freely declared their abhorrence of the unwarranted oppressions of the bailiffs. These three-and-thirty undaunted patriots,<sup>17</sup> deeply impressed with the sense of their

<sup>16</sup> Some write this memorable name Grütli (Novale).

<sup>17</sup> The word Patriot, when this was written (Anno 1798) had incurred an odium, because it had been misapplied. The day, it is to be hoped, will yet return, when a true friend to his country may resume that name without a blush.

hereditary

hereditary freedom, and firmly united by the dangers that threatened their country, being thus met in the field Rutli, suffered neither the vindictive wrath, nor the whole formidable power of the house of Hapsburg to divert them from their purpose, but with one heart and mind resolved — ‘ that in this great enterprize none of them ‘ would be guided by his private opinion ; that ‘ none would forsake his friends ; but that they ‘ would all jointly live and die in the defence ‘ of the common cause : that each would, in ‘ his own vicinity, promote the object they had ‘ in view, trusting that the whole nation would ‘ one day have cause to bless this friendly union : ‘ that the Count of Hapsburg should be deprived of none of his lands, vassals, or prerogatives ; and that his bailiffs, their officers ‘ and attendants, should not lose one drop of ‘ blood : but that the freedom they had inherited from their forefathers they were determined to assert, and to hand down to their ‘ posterity, untainted and undiminished.’ Thus fixt in their resolve, while, with tranquil countenances and honest hands, each beheld and clasped his friend ; while at this solemn hour they were wrapt in the contemplation that on their success depended the fate of their whole progeny ; Werner, Walter, and Arnold, held up their hands to heaven, and in the name of the

the

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the Almighty, who has created man to an inalienable degree of freedom, swore, jointly and strenuously, to defend that freedom. The thirty heard the oath with awe, and with uplifted hands, attested the same God and all his saints, that they were firmly bent on offering up their lives for the defence of their injured liberty. They then calmly agreed on their future proceedings; but for the present, each returned to his hamlet, observed profound secrecy, and tended his cattle.

William  
Tell.

Meanwhile the progress of wanton oppression put a period to the life and cruelties of the Bailiff Herman Gesler. Prompted either by restless suspicion, or by some intimation of a meditated insurrection, he resolved to mark those who bore his yoke with most reluctance, and had recourse to an expedient which, perhaps, had been practised by the ancestors of this people before they left their northern seats.<sup>18</sup> He raised a hat on a pole at Uri, to which he commanded all passengers to pay obeisance. William Tell of Burglen in the valley of Uri,

<sup>18</sup> Grasser, a Swiss writer, has pointed out some resemblance between various incidents in Tell's history, and those of Toco a Scandinavian, whose feats are recorded by Saxo. The popular tale of the apple, which Tell was ordered to shoot at on the head of his infant son, is wholly omitted by Muller.

son-in-law to Walter Furst, a man in the full vigour of life, of an undaunted spirit, and one of the sworn friends of liberty, scorned to pay the respect Gesler had ordained to this symbol of his usurped authority. An unguarded declaration of his contempt for this badge of servitude induced the bailiff to seize his person; and thinking it unsafe, on account of the many friends and relations he had in his native valley, to detain him there, he resolved (contrary to the privilege of the people, which forbade their being sent to foreign prisons) to convey him across the lake. They had not navigated far beyond the Rutli, when on a sudden a boisterous south wind burst forth from the inlets of St. Gothard, and raised the waves on the lake to a tremendous height. The bailiff, justly alarmed at his own danger, ordered Tell, whom he knew to be an expert boatman, to be freed from his fetters, and intrusted with the helm. They rowed in anxious suspense under the towering precipices on the right of the lake, till having approached the Axelberg, Tell steered close to a projecting cliff, sprung on shore, and leaving the boat to contend with the rocks and raging billows, climbed up the steep, and fled to Schwitz. The bailiff likewise escaped the storm, and landed at Kusnacht near the lower extremity of the lake; but Tell, aware of his own danger

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danger while such a foe survived, met him in a hollow road, and shot him with an arrow. Such was the end of Herman Gesler. He fell before the appointed hour for the deliverance of the country, without any co-operation on the part of the indignant people, but merely by the provoked resentment of a free, high-minded individual. The deed, it is true, cannot be justified on legal principles; and Tell has more than once been branded with the opprobrious appellation of conspirator and assassin: but it was a deed similar to many which have been highly extolled in history: nor is it at all expedient, or necessary, towards a well regulated government, that oppression should have no limits, and that tyrants should have nothing to fear. This deed of William Tell cheered the hopes, and animated the courage of the sworn associates; but many feared lest the anticipation might rouse the vigilance, and call forth all the efforts and precautions of the surviving bailiff. They, however, continued carefully to conceal their project: and thus ended the year one thousand three hundred and seven.<sup>19</sup>

<sup>19</sup> The name of Tell, except at a meeting of the community of Uri, in 1339, when an aid was voted for Berne, occurs no more, in the history of this country. He appears to have returned to his house at Burglen, upon the site of which a chapel has since been erected, as well as on the spot where

One of the confederates, a youth of Underwalden, who was paying his addresses to a maid-servant in the castle of Rossberg, was frequently admitted to nightly visits in her chamber.<sup>20</sup> One of these visits he paid at the first hour of the year thirteen hundred and eight, when he ascended by a rope to one of the windows of the castle. No sooner had he been introduced, than twenty of his companions, who lay concealed in the moat, were likewise drawn up, and entered at the same window. These immediately secured the keeper, his four soldiers, and all his attendants; took possession of the gate, and observed strict silence. Soon after daybreak, twenty other men of Underwalden came to Sarnen with their usual new-

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The Bailiff,  
expelled.  
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where he leaped on shore. He is said to have been drowned in 1354, in an inundation: two sons of his are mentioned, William and Walter. His male issue became extinct in 1684, and the female not before 1720. No honours, or rewards whatever, were conferred on him or his progeny; nor indeed on any of those who, on this occasion, freed their country. All their descendants lived in obscurity; some are even said to have died in hospitals. Such disinterestedness did their ancestors combine with so much heroism!

<sup>20</sup> These visits were then, and have long after continued to be customary, when a youth seriously intended to marry a young woman; and never implied the least suspicion of immorality. A practice not unlike this in North America, and deemed as innocent, has long been the subject of mirth and wonder among more refined but less continent nations.

year's

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year's gifts to the bailiff, which, on this occasion, consisted of a large number of calves, goats and lambs, and abundance of poultry and game. Landenberg, whom they met on his way to church, commended their liberality; and ordered them to convey the presents to his castle. Being arrived at the gate, one of them blew a horn, and each drew out a pointed weapon, and fixed it on his staff. Thirty more of the confederates hastened from a neighbouring wood; and these jointly took possession of the castle, and secured all those they found within its walls. The appointed signal being now given, and instantly repeated from alp to alp, the whole country of Underwalden rose in arms. The men of Uri seized on Gesler's opprobrious tower; and the Schwitzers, led by Stauffacher, flew to the lake Lowerz, and possessed themselves of the castle of Schwanau. So punctual and expeditious were all these movements, that the messengers who reciprocally conveyed the tidings of the successes, met near the middle of the lake. Landenberg, aware of his danger, endeavoured to escape across the fields between Sarnen and Alpenach, but was overtaken and seized. He and all the keepers, officers, and soldiers found in the castles, were conducted to the frontiers; where, after they had taken a solemn oath never to return within the confines

fines of the three cantons, they were dismissed without the least hurt or molestation. The blind father of Melchthal, on this memorable day, once more blessed his existence: the chaste wife at Alzelen exulted in the safe return of her gallant husband. Walter Furst publicly extolled the courage of his son-in-law; and the wife of Stauffacher received with joyful festivity, in her house at Steinen, all the brave and trusty friends who had accompanied her husband to the Rutli and the lake Lowerz. The consciousness of returning liberty exhilarated every mind; and yet, amidst all the tumult and confusion that ever attends popular commotions, all the exultation that unavoidably succeeds the happy issue of so hazardous an enterprize, it is well attested that, in this instance, not one drop of blood was shed, and no proprietor whatever had to lament the loss of either a claim, a privilege, or a single inch of land. Landenberg repaired to King Albert; and the Swiss met on the next succeeding Sunday, and once more confirmed by oath their ancient, and (as they have ever fondly named it) their perpetual league.

Albert came early in the spring to his western dominions, in order to prepare for a war against Bohemia, and established his court at Rheinfelden. He was accompanied by John, the son

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King Albert  
slain.

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son of his late brother Rudolph, who secretly repined at the injustice of his uncle, in withholding from him, although now of age, his father's share of the hereditary dominions of the house of Hapsburg. The king unwilling to yield up those ample territories, had formed the project of indemnifying his nephew by the grant of some distant provinces in Saxony, which he was preparing to conquer. In his way to Rheinfelden he visited the Thurgau and Argau; and at Baden he issued strict orders that all communication with the forest cantons be henceforth prohibited; and gave manifest indications of his determined purpose to resent the late insult on his delegates. Duke John, abashed by the presence of Leopold, the king's third son, who, although not older than himself, had yet been some time in possession of high honours and extensive domains; and stimulated by many of the nobility of Argau, who, weary of the stern severity of Albert, looked for a more lenient sovereign, demanded anew, and with some importunity, the territories his father had held during the life of King Rudolphi. Irritated by repeated denials, he poured forth bitter complaints into the bosoms of his confidential and equally discontented friends, who, although conscious of their inability to compel redress, yet resolved to convince

vince Albert that those who fear nothing are always formidable. Duke John and several nobles, conspired now the death of Albert. These nobles were Walter Baron of Eschenbach, whose estates and influence extended from the lake of Zurich to the Oberland; who was related to all the principal families in the Argau, Thurgau and Rhætia; but who owed his power and renown much more to his eminent virtues than to his illustrious birth and ample property: Rudolph Baron of Wart, a cousin of Eschenbach, whose castle was situated in Kyburg: Rudolph de Balm from Lenzburg: and Conrad de Tegerfeld, from the neighbourhood of Baden, who had superintended the education of the young injured prince.

On the first of May, in the tenth year after he had triumphed over, and contrived the death of his legitimate sovereign King Adolphus, Albert set out from the citadel of Baden in his way to Rheinfelden, accompanied by Landenberg, Everard of Waldsee, on whose account he had forfeited the affection of his Austrian subjects, Burcard Count of Hohenberg his cousin, and several other nobles and attendants. Being arrived at the ferry over the Reuss near Windish, the king was, under pretence that the boat must not be overburdened, insensibly led away by the conspirators to some distance from  
his

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his retinue. He was riding leisurely across some cornfields bordering on the hills of Hapsburg, and conversing with Walter de Castelen, a knight whom he had met on his way, when Duke John, approaching on a sudden, exclaimed, 'Take this as a reward for thy injustice,' and thrust his spear into the neck of Albert. Balm hereupon rushed in, and pierced his body; Eschenbach clove his head; Wart stood aghast; and Castelen fled. The king streaming with blood sunk to the ground, and soon after expired in the arms of a poor woman, who seeing his deplorable condition, hastened to his assistance. He had before escaped two similar conspiracies, but this third, the contrivance of an insulted kinsman,<sup>21</sup> proved fatal.

His death  
avenged.

Duke John and his friends, struck with a sudden panick, as if this had not been a premeditated and wilful act, fled different ways, and met no more after this portentous hour. The Duke escaping into the mountains, lay a few days concealed at Einsidlen, and lurked some time solitary and forlorn in the adjacent woods: he then assumed the habit of a monk, and wandered into Italy: King Henry of Luxemburg

<sup>21</sup> In answer to one of Duke John's most urgent solicitations for his inheritance, the king presented him with a chaplet of flowers, observing 'that this best became his years.'

saw him at Pisa ;<sup>22</sup> after which he disappeared, and consumed the remainder of his days in profound obscurity : nor has it ever been authentically disproved that a blind beggar, who was seen many years after receiving alms at the new market at Vienna, was actually, as he asserted, the son of this unfortunate prince, and grandson to the great Rudolph. It is not known where, and how soon Balm ended his hapless days. Tegerfield was never after heard of. Eschenbach fled with Wart up the river Aar to the castle of his uncle at Falckenstein : he is known to have lived five-and-thirty years afterwards as a shepherd, in the country of Wurtemberg, where he disclosed his rank shortly before his death, and was buried with the honours due to his illustrious birth. The Baron of Wart, who had seen, but no ways participated in the bloody deed, was betrayed by some of his relations into the hands of the sons of Albert, and by them instantly sentenced to death. While with broken limbs he lay agonizing on a wheel, he still, with manly fortitude, declared himself innocent of the crime for which he suffered. ‘ And indeed,’ he added, ‘ those also who have committed the deed, are guiltless of a crime : they have, in fact, destroyed a monster, who, violating all ties of honour and religion, had laid bloody hands

<sup>22</sup> In the year 1313.

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VL

‘ on his liege lord and sovereign; and in defiance  
 ‘ of all justice and equity, withheld from his  
 ‘ nephew his lawful patrimony; and who truly  
 ‘ deserved to suffer the tortures I now endure.  
 ‘ May God take pity on me, and pardon my  
 ‘ transgressions!’ His wife (a lady of the house  
 of Balm) after having in vain prostrated herself  
 at the feet of Agnes, daughter of Albert  
 and Queen of Hungary, and conjured her by  
 the mercy she hoped to find on the day of judgment,  
 to take compassion on the unhappy baron,  
 attended her husband to the place of execution.  
 She continued three days and three nights at  
 the foot of the wheel, in constant prayer and  
 without sustenance, until he expired: she then  
 went on foot to Basle, where she soon after died,  
 oppressed with grief. Russeling, a servant of the  
 baron, shared in the fate of his unhappy master.

Duke Leopold having collected forces,  
 marched against the castle of Wart, took and  
 demolished it, and put to the sword all the retainers  
 of the baron who had attempted to defend it. John,  
 a brother of Baron Rudolph, although he had been  
 no ways concerned in the conspiracy, was nevertheless  
 despoiled of all his property, and left to pine away  
 the remainder of a necessitous life, in a remote and  
 wretched cottage, once the property of his forefathers.  
 Farwangen, the principal seat of the family of  
 Balm, surrendered on a promise of mercy; but

no sooner was the duke possessed of it, than he and his sister Agnes caused six and thirty of the garrison, many of them nobles, who all to their last breath called God to witness of their innocence, to be dragged to a neighbouring wood, and there beheaded in their presence. Mashwanden, a castle of Eschenbach, was taken, and its whole garrison put to the sword. In the midst of the carnage a child of Count Walter was discovered by his moans in a cradle, and with much difficulty saved by the ferocious soldiers from the relentless fury of Queen Agnes, who was preparing to butcher it with her own hands. She was then scarce six and twenty years of age.

More than one thousand men, women, and children, having thus, chiefly at the instance of the relentless Agnes, been cruelly slaughtered, this queen, jointly with Elizabeth her mother, founded on the field where the murder had been committed, the site of the ancient Vindonissa, a sumptuous monastery for minorites and nuns of St. Clara. Its high altar was raised on the spot on which Albert had expired. This foundation has since flourished under the name of the abbey of Koenigsfelden. It was exempted from all contributions and secular jurisdiction. The dowager queen, Agnes, and many other princesses and illustrious dames, who were de-

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siours to ingratiate themselves either with God, or with the court, conferred on it ample endowments in lands, tithes, jewels, and rich garments. Agnes, who from her infancy had shewn a great aversion to the splendour and dissipations of a court, and had reluctantly consented to her marriage, fixed her abode near this monastery: every morning she attended the celebration of mass, and all the afternoon she worked with her maids at some church implement or decoration: she observed all the fasts and ceremonies with the most scrupulous punctuality, and displayed great humility and beneficence in washing the feet of pilgrims, and distributing alms to the poor; and yet she in vain endeavoured to prevail on a venerable hermit in the neighbourhood, to visit the church of the monastery. ‘They,’ said he, ‘who shed innocent blood, and found convents with the spoils of the victims, can never be truly pious. The father of mercies delights in benignity and forgiveness.’ Others have recorded also of this queen, that she possessed uncommon vigour and activity of mind; but that her great semblance of piety could not always be relied on with safety.

Thus ended the restless ambition of Albert; which, while it cost him the love of all his subjects, and the confidence of his contemporary princes,

princes, terminated ultimately in his own untimely death, the ruin of the only son of a brother, and the final extirpation of an illustrious race of ancient barons, and of many distinguished vassals. The bold achievement of the Swiss meanwhile drew on a series of hostilities, which, in less than a century, brought about the intimate union of all the states of Helvetia and Rhætia, and finally the establishment of their renowned Confederacy.

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## CHAP. VII.

*League of the four Forest Cantons.<sup>1</sup>*CHAP.  
VII.Conse-  
quences of  
Albert's  
death.

**I**N the first moments of doubt and consternation after the violent death of Albert, Count Burcard of Hohenberg hastened to convey Duke Leopold to the citadel of Baden : and Albert's dowager queen, undismayed in the midst of terrors, instantly appointed Count Immer of Strasberg and Henry Lord of Griessenberg, both of whom she knew to be popular in the country, and well affected to her family, to administer the western provinces. She also took every precaution that prudence could suggest in order to insure to Frederick, the eldest son of Albert, the immediate succession to the vacant throne. All the neighbouring cities and states saw likewise the necessity of providing for their own security. Zurich cleared away the rubbish that had long obstructed its gates, which had never been shut for upwards of thirty years : the Abbot of St. Gallen obtained in less than one year eight subsidies from his people, all which he expended in warlike preparations :

<sup>1</sup> See chap. iii. note 75.

the Swiss raised intrenchments at the inlets of their country; and the Underwalders secured the landing place near Stanz with strong palisades and a massy tower. The nation thus guarded, observed with tranquil but cautious circumspection all the momentous occurrences around them: they answered the Austrian emissaries who came to solicit their aid; 'that they saw no reason for avenging the death of a monarch who had never done them any kindness upon persons who had never molested them; and that they were determined to remain at peace with all those who were peaceably inclined towards them.' Soleure and Berne renewed the alliance which had long subsisted between them; and the towns of Argau, recollecting how much more lenient Rudolph and Albert had been towards them than towards the nobles, swore at the citadel of Baden to support the house of Austria. The electors in the meanwhile frustrated the hopes of that aspiring race; and at the recommendation of the Archbishop of Mentz, raised Henry of Luxemburg to the Imperial throne.

The Dukes Frederick and Leopold advanced now towards mount Albis and invested the Schnabelberg, a castle of the Barons of Eschenbach. Aware however that so near an approach might alarm the city of Zurich, and anxious lest their

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their progress should excite the jealousy of the Swiss, who had always befriended the barons, they resolved to assume an appearance of moderation. They ceded to the city out of the estates of Eschenbach a considerable tract of land, and a large wood on the river Sil, the first territory possessed by Zurich; whose burghers on this occasion shewed less magnanimity than regard for their own interest. The castle was hereupon taken and razed, and the garrison inhumanly butchered. The Swiss derived a consciousness of security from the countenance shewn them by King Henry, who convinced that the Austrian bailiffs in the cantons had merited their fate, and well apprized that at their expulsion the Counts of Hapsburg had not been deprived of either a vassal, a revenue, or an estate, granted them the most ample confirmation of their sole dependence on the empire, and an exemption from all foreign jurisdictions. Three hundred of the confederates accompanied the King into Italy; and those who remained behind drove their cattle into the Alps.

A contest  
between  
Schwitz  
and Einsid-  
len.

During these commotions, and the rising animosity of the Austrian princes against the Swiss, a dispute arose between this people and the abbey of Einsidlen, which however was soon composed through the mediation of Zurich. A treaty was concluded, in which a certain number

ber of men of rank were named arbitrators for the adjustment of all future differences. The burghers of Zurich were particularly interested in the preservation of tranquillity in these parts, both on account of their trade with Italy over mount St. Gothard, and because, since the Princes of Hapsburg had refused admission to the Swiss into Lucern, this people had been accustomed to convey their cattle and the produce of their dairies through Einsidlen to the markets of their city. The canons, on the other hand, most of whom were men of birth, held the peasants of Schwitz in great contempt; while these reciprocally paid little deference to the assumed importance of the ecclesiastical dignitaries. One month had scarcely elapsed since the conclusion of the above treaty, when two men of Schwitz went with their families on a pilgrimage to the miraculous image of the Virgin at the abbey. Having performed their devotions they walked in the neighbouring fields, and were accosted by four of the canons, the school-master and the parish priest: these entering into conversation threw out reflections on the peasants, ridiculed the coarseness of their manners, taxed them with injustice in the late insurrection, and intimated that they would now no longer be countenanced in their audacity, since men of high distinction and friends  
of

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of the abbey were henceforth to restrain their conduct. The Schwitzers answered, 'that they had never claimed, and never should demand, what was not their unquestionable right; and that as to rank, a freeman was in every respect equal to a baron.' This irritated the canons, who drew out knives and wounded the pilgrims: the women shrieked, and a crowd gathered, in which the two men found means to escape the fury of their assailants. This insult having been reported at Schwitz, the landamman assembled the people, and in its name sent a messenger to Einsidlen to declare 'that the treaty had been impiously violated.' The abbot received the notice with concern and promised redress; but the Schwitzers, who knew him to be a man of an easy temper and feeble authority, declared that they could have no reliance on this promised satisfaction: reflecting moreover on the boasted partiality of the arbitrators, they added, 'that as the monks had wantonly infringed the treaty, they should no longer abide by any award that might be made conformably to its tenor.'

This treaty contained a clause, by which either party that declined an arbitration was held to pay a fine of two hundred marks of silver. The Swiss being called upon to fulfil this article peremptorily refused payment, repeatedly

peatedly alleging that they were no longer bound by the treaty. The monks hereupon sent their hostages to Zurich, who, according to the practice of those times, were ordered to live profusely at the cost of the Cantons until matters should be adjusted.<sup>2</sup> These had already incurred considerable expences, when the magistrates of the city, either unwilling or deeming themselves unable to enforce compliance, ordered them to depart. The Swiss hereupon appealed to the Emperor, who was at that time in Italy, and in the mean while continued without fear or hesitation, though never unarmed, to frequent the markets at Zurich. The cause was pleaded before Everard Baron of Burglen, the Imperial commissary in Upper Suabia, who decided that the fine of two hundred marks should be relinquished; but admonished Werner Stauffacher, at that time Landamman of Schwitz, and his community to pay nine hundred livres in full satisfaction for the costs.

Meanwhile an attempt was made by the burghers of Lucern, subjects of Austria, to invade the canton of Underwalden. They came in a vessel they had named the Goose, to the tower on the strand near Stanz. The centinel saw their approach, gave the appointed signal, and rolled a large mill-stone against the bark;

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<sup>2</sup> See chap. v. note 22.

and

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and a passage-boat from Uri arriving at that instant, the Lucerners were repulsed with considerable loss.

The Swiss, convinced that a lasting peace can only be insured by striking terror into the adversaries, resolved to take exemplary vengeance for the insult they had received from the haughty monks. They accordingly, in the night of the first of March, attacked the abbey on a sudden, and so completely surrounded it, that no one could hope to escape undiscovered. In the general consternation struck by this unexpected invasion of so holy a sanctuary, the four canons, the school master, who has since sung the horrors of that night,<sup>3</sup> and the parish priest, were seized without opposition, and conveyed over the mountains to the town of Schwitz. The abbot, who was then absent, was soon apprized of this daring attempt, and of the terrors of the captive priests, who dreaded equally the loss of life, and the tortures they thought themselves likely to endure: he, therefore, and several of their powerful friends, sent urgent letters to the Swiss to solicit the enlargement of the prisoners, signifying, that by such an act of clemency, they would infallibly gain the respect and admiration of all their neighbours. These letters were read to the community, who con-

<sup>3</sup> See Hartman Ann. Einsidl.

sented that, on the monks paying the expences of their hostages, the priests should be released. CHAP.  
VII. Whether owing to some want of punctuality in these payments, or perhaps on account of the awe that was struck by so sudden and decisive a blow on the part of the Swiss, Zurich appears at this time to have been estranged from that people, insomuch that in a subsequent treaty with the Dukes of Austria, the city engaged to act offensively even against the Cantons.

The Imperial throne having meanwhile become vacant by the suspicious death of Henry,<sup>4</sup> a competition arose between Lewis of Bavaria, and Frederick of Austria, for the succession. Each was chosen by his party: and while the electors and all Germany still hung in doubtful suspense, the Swiss, bearing in mind the harsh treatment they had experienced from Albert, openly, and without hesitation, declared for Lewis. Duke Leopold, incensed at this defection, vowed vengeance against the daring opposers of his brother's claim. This prince displayed through life a most aspiring mind and tenacious arrogance; and his passions were so vehement, that whenever thwarted his rage

Election of  
two Kings  
of Germa-  
ny.

<sup>4</sup> He is said, but upon no good authority, to have been poisoned by a Dominican friar, in the administration of the Eucharist. He had been crowned at Rome in 1312.

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Whence a  
war with  
the three  
cantons.

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rendered him truly ferocious and terrific to those who approached him.

The Abbot of Einsidlen and the Bishop of Constance, whose see extended over the three cantons, urged by their own resentments, and encouraged by the animosity of the Austrian princes, ventured now to excommunicate the Swiss; and the abbot, moreover, obtained against them the imperial interdict. The Archbishop of Mentz, however, the metropolitan of Constance, repealed the excommunication; and King Lewis, reprobating the austere severity of the Austrian dukes, revoked the interdict. Duke Leopold upon this resolved to invade the cantons, confident that their reduction would be the mere sport of a day. It is well attested that he repeatedly declared, 'he would trample the audacious rustics under his feet;' and that he had procured a large stock of cordage for the purpose of binding their chiefs, and putting them to death. Few princes have been aware of the irresistible, and almost miraculous powers of a free-minded people, when it feels the iron rod of oppression: and Leopold was particularly accustomed to ridicule the awkwardness of the alpine shepherds in the martial exercises. The neighbouring states, however, conscious that should these cantons be once overpowered, their own safety would be exposed to imminent danger,

danger, took the alarm, and endeavoured by persuasions and entreaties to divert the duke from his intended expedition: but their attempts were vain; the terms he offered to the Cantons being such that they could not accede to them, without at once renouncing their honour and independence. They answered to his injunctions, ‘ that it was they who were in fact ‘ the party injured: that if the duke was deter- ‘ mined to invade them, they would, unawed, ‘ and firmly relying on the protection of the ‘ Almighty, await his coming, and do their ut- ‘ most to repel his unmerited attack.’ Daily experience evinces how ruinous pusillanimity is to every state that aims at independence: and hence it is easy to conclude what would have been the fate of this small people, had they, in this hour of imminent danger, preferred a tame submission to the firm though hazardous purpose of asserting their liberty.

The nuptials of King Frederick with Isabella of Aragon, and of Duke Leopold with Catherine of Savoy, having been celebrated with great pomp and festivity at Basle, the duke repaired to Soleure, on whose burghers he prevailed to acknowledge the election of his brother; and thence came to the citadel of Baden, where he held a council of war, in which he announced the following plan for the intended invasion.

‘ In

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‘ In order to bring the war against the refractory cantons to a speedy and happy conclusion, it will behove us to attack them at once in various quarters. Should they perceive our purpose, their union, on which they so confidently rely, will be at once dissolved; and they will hence be able to offer but a feeble resistance to our combined assaults: should they, on the other hand, not be apprized of our intentions, we shall in that case take some by surprize, defeat others, seize on many, and surround them all; and thus infallibly extirpate the whole nation.’ Three separate attacks were accordingly prepared: commanders were appointed to each; and the star of Austria appearing at this time propitious, the troops marched forth to their various destinations. Otho the younger Count of Strasberg, at this time imperial Prefect in Oberhasli, advanced with four thousand men through the Oberland to the frontiers of Underwalden: his progress was greatly facilitated by the friendship that had long subsisted between Duke Leopold and Count Peter of Gruyeres, and by the inveterate feuds that perpetually divide the nobles and the people. Upwards of one thousand men assembled at Lucern, who, under the command of the Austrian bailiffs of that district, prepared to invade Underwalden on the side of the lake.

The

The duke himself conducted the main army in two columns towards Zug. A numerous body of heavy cavalry, which, although the cumbersome weight of their armour was ill adapted for the services here required of them, was yet considered as the flower of the Austrian army, led the van. The duke was joined by all the ancient nobility of Hapsburg, Lenzburg and Kyburg, among whom were numbered the Marshal de Hallwyl, long and zealously attached to Duke Leopold, Landenberg, and the kinsmen of Gesler, still glowing with vindictive rage; several of the Bonstettens, who being possessed of considerable estates on the lake Egeri, were well acquainted with the inlets of the cantons; Count Henry Montfort of Tett nang, who either from the pride of rank or an ardent zeal to signalize himself in the service of the duke, professed an inveterate enmity against the Swiss; the Counts of Thun and Lauffenburg, emulous to excel each other in their first deeds of arms; the Count of Tocken burg, who came reluctantly, but yielded to the dictates of gratitude, the duke having lately conferred on him the administration of Glaris and the Gaster; and even Werner de Homberg, a valiant chief, who hoped by his services to merit the reversion of the county of Rapperswyl. At Zug all the nobles who from a rooted aversion to the burghers were

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were hostile to independence, flocked to the ducal standard; and many also came who engaged in the war rather from motives of self preservation than of hatred to the cantons. Fifty burghers of Zurich, all clad alike, came conformably to the treaty; and the Baron of Urikon led on the subjects of Einsidlen under the sacred banner of the abbey.

Battle of  
Morgarten.

The Swiss meanwhile felt no dismay. The entrenchments that guarded the northern inlets of their country extended from the road to Zug to that which led to Einsidlen, and were terminated at each end by a strong tower.<sup>5</sup> The people prepared to obey the first summons. Four hundred men from Uri and three hundred from Underwalden landed at Brunen, and marched up the meadow to the town of Schwitz. Here lived Rudolph Reding de Biberek, an experienced veteran, who though now feeble in body was yet so full of mental vigour and sagacity, that the people had been long accustomed to consider his opinion as decisive. ‘Above all things,’ said he, ‘make yourselves masters of the conduct of the war, so that it may always be at your option and never at that of the enemy, when, where, and how to risk an ac-

<sup>5</sup> The Schoren and the Red Tower, which are still extant, as well as some traces of the entrenchment.

tion. This object you will obtain by taking  
 an advantageous post : you, who are by far  
 the fewest in number, must so contrive that  
 their greater extent of line may not avail the  
 enemy ; and hence must you also cautiously  
 abstain from exposing your slender force ex-  
 cept at a decisive moment, and never without  
 some manifest advantage. The duke you  
 may be assured will not chuse the pass at Art ;  
 a high mountain on one side, and the lake  
 on the other, being insurmountable impedi-  
 ments to the movements of an army : the road  
 through the wood and along the side of the  
 lake Egeri is indeed equally difficult ; but the  
 pass is far shorter, and will hence infallibly  
 have his preference : here all will depend on  
 the proper use you shall make of a favourable  
 instant. The heights above Morgarten you  
 know form a natural bulwark ; above which  
 the old lawn<sup>7</sup> spreading in an even plain  
 reaches the mountain Sattel : this mountain  
 affords opportunities for various advantageous

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<sup>6</sup> At the head of the lake of Zug.

<sup>7</sup> *Allie Matte* is still its proper name. Baron de Zurlauben has of late examined this memorable spot with great historical, topographical, and military accuracy ; and pointed out the changes it appears to have undergone since this battle, by alluvions, inundations, and other irregular operations of nature.

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‘ operations. A sudden attack may be made  
‘ across the lawn; you may thence fall upon  
‘ the flank of the approaching enemy; you may  
‘ break their column; and if far advanced into  
‘ the valley, annoy their rear: confined as they  
‘ will be in the narrow pass you may molest  
‘ them various ways; you may break their  
‘ ranks and impede all their evolutions. The  
‘ contempt your foe entertains of your skill in  
‘ war will facilitate all your manœuvres; and  
‘ a defensive war is best carried on by those  
‘ who are well acquainted with the nature of  
‘ the country.’ Reding having thus discharged  
his duty to his country, the people thanked him,  
and devoutly kneeling prayed to God, their  
sole monarch, and now their only refuge, to  
bless their efforts in defence of the rights he had  
conferred. They then marched forth, thirteen  
hundred in number, and took post on mount  
Sattel.

In the preceding times of factious animosities,  
when private dissensions were scarce ever com-  
posed without numerous proscriptions, fifty  
men who had rendered themselves obnoxious  
to the magistracy had been banished from the  
canton of Schwitz. These having heard of the  
danger that threatened the liberties of their  
country, came to the frontiers, and requested  
that they might be allowed to join the confe-  
derates

derates on mount Sattel, and prove by their exertions that, although driven from their native seats, they were not however unworthy of their ancestors. The magistrates deeming it unwise to deviate from an established rule because a danger was impending, refused to admit the exiles within their confines. Thus rejected, the fifty men nevertheless resolved to expose their lives in the cause of their country, and posted themselves on an eminence above Morgarten beyond the frontiers of the canton.

The fifteenth of October of the year thirteen hundred and fifteen dawned. The sun darted its first rays on the shields and armour of the advancing host: their spears and helmets glistened from afar; and this being the first army ever known to have attempted the frontiers of the cantons, the Swiss viewed its long protracted line with various emotions. Montfort de Tett nang led the cavalry into the narrow pass, and soon filled the whole space between the mountain and the lake. The fifty exiles on the eminence raised a sudden shout, and rolled down heaps of stones and fragments of rocks among the crowded ranks. The confederates on the mountain perceiving the impression made by this attack, rushed down full speed, but in close array, and fell upon the flank of the disordered column. With massy clubs they

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dashed in pieces the armour of the enemy ; and with long pikes they dealt out blows and thrusts wherever opportunities offered. Here fell Rudolph of Hapsburg Lauffenburg, three Barons of Bonstetten, two Hallwyls, three Urikons, and four of the house of Tockenbourg : two Geslers were likewise found among the slain ; and the vindictive Landenberg met his doom from the hands of those he had long wantonly oppressed. The Confederates lost a son, or cousin of Walter Furst of Uri, the Lord of Beroldingen, and the aged Baron of Hospital, whom his son had in vain endeavoured to dissuade from engaging in the perilous contest. The narrowness of the defile admitted of no evolutions ; and a slight frost having injured the road, the horses were impeded in all their motions : many leaped from this unusual conflict into the lake ; all were startled ; and at length the whole column gave way and fell suddenly back on the infantry, which had already advanced into the pass : these saw the precipitate retreat before they could learn its cause ; and as the nature of the country did not allow them to open their files, they were run over by the fugitives, and many of them trampled to death by the horses. A general rout now ensued : the Swiss pursued and continued the slaughter : all the fifty auxiliaries from Zurich fell

fell on the post that had been assigned them ; and Leopold was with much difficulty rescued from the carnage by a peasant, who knowing the bye-paths in the mountains led him to Winterthur, where the historian of the times<sup>8</sup> saw him arrive in the evening pale, sullen and dismayed. Thus did the Confederates in less than three hours, without much loss, but by skilfully availing themselves of the imprudence of their enemy, and by their own timely and vigorous exertions, gain at once a complete and decisive victory.

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Strasberg, of whose approach and numbers the Underwalders had not as yet received any intelligence, came the same day unawares over mount Brunig, and descended with four thousand men through Sarnen to the bay of Alp-nach on the lake, where near Burgen a body of men from Lucern were at the same time endeavouring to effect a landing. The Underwalders of the upper district sent a speedy messenger to Stantz to demand assistance against Strasberg, but he was met by another runner who came from thence to summon the men of Sarnen to assist in repelling the attack near Burgen. Each moiety of the people, thus powerfully assailed, found means however to retard the progress

Strasberg  
defeated.

<sup>8</sup> John of Winterthur.

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of the invaders, while an express hastened to Schwitz to recall their three hundred countrymen who had joined the main body of the confederates. This messenger on landing at Brunnen saw the conquerors of Morgarten, who soon after the hour of nine having no longer any enemy to contend with had returned to Schwitz, where they had been received with joyful acclamations, and were now feasting with convivial gaiety. The Underwalders having heard the summons immediately embarked. The Schwitzers and Urners declared their purpose of joining in the expedition; but the three hundred, emulous perhaps to achieve unaided the deliverance of their country, declined the offer, alleging that their magistrates had not summoned the whole Confederacy. One hundred Schwitzers however persisted, and were together with the Underwalders soon transported across the lake. They landed at Buchs, and immediately fell upon the men from Lucern, who yielding to the impetuosity of the attack, fled with such precipitation that many of them perished in the lake in attempting to gain their barks. The victorious troop now advanced to Kerns, where it was joined by those who had hitherto resisted Strasberg; and hence jointly exulting in the previous successes of the day, they rushed down towards Alpnach, where the enemy

enemy had taken an advantageous post. Experienced generals have asserted that in a defeat the eyes and ears are usually the first that yield: and this remark received an ample confirmation in the present instance; for no sooner had Strasberg perceived the triumphant banner which he believed at Schwitz, and heard the shouts of the approaching bands, than doubting no longer the fate of Leopold's army, and convinced of the only option that was now left him, he ordered an immediate retreat, to favour which, he with a few select warriors stood to receive the first onset of the assailants: a wound however in the left hand soon disabled him, and his people being all routed fled precipitately over the mountains to Lucern. The Swiss in this as well as in most of their wars were generally the weakest in number; but the numbers of armies were then, as they are at present, usually either exaggerated or diminished according to the occasional inducements of fear or adulation, deception or extenuation; whence Sallust, a writer whom few have equalled as an historian, thought proper to omit these numbers in his greater history of Rome. Neither ought any inference to be derived from the report of the slain in battle; since the magnitude of a victory ought much rather to be estimated by the importance  
of

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of its consequences, than by the carnage it may have occasioned.

This memorable day was not yet closed, when three hundred Schwitzers, and four hundred men of Uri, landed in Underwalden; and hearing of the repeated successes of their confederates, joined them in mutual congratulations. The fifty exiles were restored to their country and privileges. The Swiss now agreed to consecrate this anniversary as a solemn festival; ‘the God of Hosts having on this day ‘visited his people, and given them the victory ‘over their enemies.’ They even to our days celebrated annual masses for the souls of those who fell in the glorious conflict; still, on these occasions, they recited to the people the names and heroic deeds of those generous champions of their liberties; and still did the three cantons commemorate those splendid times, by holding their public assemblies in the field Rutli: the Underwalders of the upper district still met on the hill on which Landenberg formerly resided; and with the same laudable spirit of patriotic emulation have their youths, on a late day of great festivity,<sup>9</sup> amidst a concourse of their ap-

<sup>9</sup> In or since the year 1776. So incurious are the inhabitants of these remote parts, that even the more important events of one valley are often unnoticed in the adjoining ones.

plauding parents and countrymen, rehearsed, on the very spots, in the same habits, and with the peculiar usages of the times in which they were achieved, all the eminent deeds to which they owed their darling independence.

After these signal successes, the news of which King Lewis received with joy and admiration, the three cantons held a meeting, and once more renewed and confirmed their ancient and venerable<sup>10</sup> league, by virtue of which all the confederates, however divided by mountains, lakes, or torrents, were ever after to be considered as one people firmly united, and at all times ready for the defence of their well-earned liberty. They again stipulated; ‘ that  
 ‘ all vassals should continue faithful to their  
 ‘ lords, unless the lords should wrongfully mo-  
 ‘ lest the cantons, in which case defection would  
 ‘ become a duty : that none of the confederates,  
 ‘ either as individuals, or as subordinate com-  
 ‘ munities, should put themselves under the  
 ‘ protection of, or accede to any treaty or nego-  
 ‘ ciation with foreign princes or states, without  
 ‘ the previous consent of the whole body : that  
 ‘ no one banished for murder be restored with-

<sup>10</sup> Henceforth must the solemn appellation *perpetual*, ever annexed to the confederacy, be omitted : of the epithet *venerable*, here substituted, no new-fangled doctrine will surely ever deprive this union.

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‘out a like general assent : and lastly, that they, and their posterity for ever, should be firmly bound by the oath now taken, to aid and protect each other at all times, in all places and emergencies, with their lives and property, against all who should either actually violate, or merely attempt to injure any of the confederates, either singly or collectively.’<sup>11</sup>

This groundwork of the Helvetic union, founded on justice, the greatest pride of nations, and peace, the first of earthly blessings, was distinguished from all other political institutions by its extreme simplicity and inoffensive tendency. Pure, holy, and permanent, as the ties which united the patriarchs in the golden age of the earlier generations, this league has continued through nearly five centuries, among a variety of obstructive efforts, and with few occasional amendments, the great outline of all modern free constitutions. Its superior excellence was solemnly acknowledged in this century,<sup>12</sup> when the three cantons once more with grateful hearts, but alas! for the last time, confirmed it on the same consecrated spot, where it had been first sanctioned. Such was its distinctive superiority, that all subsequent com-

<sup>11</sup> All that was besides contained in the league of 1291 (p. 221), was here, moreover, confirmed.

<sup>12</sup> Anno 1713.

pacts among the Helvetic states were found less adequate, in proportion as they deviated from this approved standard. Perfect harmony was the basis of this union ; and it was this unanimity which in many perilous instances has enabled the thirteen cantons and their allies to co-operate with as much celerity and vigour as if their joint decrees had been the resolves of a single individual. This fœderal union, the source of peace and justice (and it is the maintenance of peace and justice, and not any particular form of government, that constitutes true freedom,) this close covenant has for ages been the sole tie that has cemented all the Helvetic and Rhætian tribes into one invulnerable body: it was their law, their monarch; even as in the times of the Judges, Israel had no king but the great God who had delivered them from bondage.<sup>13</sup>

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The wars in those days seldom called forth, as they do at present, the whole collective force of a nation: they were rather partial feuds, carried on by neighbouring lords or communities in opposite interests, and terminated by a few encounters, in the success of which mere chance and bodily strength had often a greater share than skilful conduct. The future tran-

Termination of the  
War.

<sup>13</sup> Accordingly, as soon as this tie was dissolved, the fabric crumbled.

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quillity of the Swiss therefore depended more on the state of the contiguous provinces, than on the will of a vindictive despot. That state happened at this period to favour their interests; for though the Gaster, to which Albert had united the lower district of Glaris, harboured an habitual enmity against the Swiss, who had probably at times, in the cause of some allies, infested their frontiers; and though Duke Leopold had greatly added to his authority in Glaris by the acquisition of all the higher offices, and even of the stewardship, till then held by the house of Tschudy; yet the Swiss had nothing to fear from the former, whom the habits of traffic had estranged from arms; and the latter (the men of Glaris) were, from a similitude of customs, situation, and character, always better inclined to their neighbours in the Alps than to the house of Austria. On the other hand, the duke's friend, Strasberg, lost so much of his influence in the Oberland, that he was at length reduced to the necessity of alienating even the hereditary seat, from which he derived his name.

King Lewis now repeatedly confirmed the liberties of the cantons,<sup>14</sup> and appointed the Baron of Weissenburg Imperial Prefect over

<sup>14</sup> At a camp at Meriden, March 29, 1316; again at Como in 1327; and, as Emperor, at Pavia in 1328.

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the valley of Hasli; and the town of Thun, having, moreover, of its own independent authority, concluded a treaty with Underwalden, the duke perceived that any attempt from the side of Interlachen, where his bailiffs were in force, would be impracticable: finding also that the Swiss were as regardless of conquest as they were unwilling to bear a yoke, he agreed to a truce for one year, during which all causes of complaint were to lay dormant. A free intercourse with all the neighbouring countries was hereupon restored; but the intrenchments at the frontiers were not neglected; for even now no confederate could with safety venture beyond the field of Morgarten. The monks of Einsidlen also retained their animosity against the cantons, which they frequently vented by letters of excommunication: but the duke declared, that any rough treatment the bearers of those letters might meet with in the Swiss valleys, should not be construed into a breach of the truce. This truce being expired, it was renewed for six years longer.

1318.

Meanwhile King Frederick having been made prisoner at the battle of Muhldorf, his brother Leopold, exasperated at the mischance, vowed vengeance against the prosperous competitor. King Lewis called upon the Swiss for their assistance; and they readily engaged 'to serve  
' the

The Swiss  
assist King  
Lewis.  
1323.


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‘ the empire with as much zeal as their fore-  
 ‘ fathers had done before them as long as the  
 ‘ empire should protect them.’ The people of  
 Glaris refused the aid the duke claimed from  
 them; and remonstrating that he had infringed  
 their privileges by appointing strangers instead  
 of natives to their chief magistracy, they with-  
 out hesitation entered into a triennial league  
 with Schwitz. This war however was not of  
 long continuance, the same asperity of temper  
 which had prompted Leopold to the cruel ven-  
 geance he had taken for his father’s death, having  
 now, amidst the calamities that befel his house,  
 gradually impaired his health, and at last put a  
 period to his life. His next brother, Albert,  
 1326. renewed the truce with the Swiss ; many of  
 whom, soon after, accompanied King Lewis on  
 his expedition to Rome.

Although surrounded on most sides by the  
 dominions of Austria, and bordering on several  
 valleys in Italy, which had adopted the Guelphian  
 party, this people nevertheless, with the same  
 firmness which had of late insured them their  
 independence, strenuously espoused the cause  
 of Lewis against the pontiff. This drew upon  
 1328. them the papal excommunication; which being  
 announced in the cantons, the people asked the  
 priests, ‘ whether they would continue to read  
 ‘ the service and sing the litany as usual, or else  
 ‘ submit

‘submit to immediate exile?’ The Pope on being told that the priests had preferred the former option, acknowledged that, though contrary to the canons, they had undoubtedly made the wisest choice. The Swiss accompanied by two hundred Zurichers marched now under the banner of Uri, up the narrow dell leading to mount St. Gothard: they crossed the Devil’s bridge, and the sequestered but smiling vale of Urseren; and having passed by the adjacent sources of the Reuss and Ticino, they descended into Italy, where they met the inhabitants of the Liventine valley, sent by Azzo Visconti of Milan to their assistance. Urseren had been granted by an Emperor to the Abbot of Disentis; but its inhabitants claimed various ancient privileges, by which they were exempted from all participation in the wars of their neighbours, and authorized at all times to allow a free passage to every traveller of any nation or party whatever. So necessary was this absolute security, that without it this people would soon have been incapacitated from prosecuting the arduous toils which alone can preserve the pass over this stupendous mountain.

The Italian valleys bordering on Upper Rhætia were at this time subject to the rival cities of Como and Milan. After the great wars which preceded the downfall of the Roman empire, these

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First Expedition of the Swiss into Italy.

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these districts (like Athens and Sparta after the Persian war) became the seats of various confederacies, distracted by continual factions, and the prey of incessant tumults. The Guelphs and Ghibelins, the senate and the people, the ancient nobility, and partial associations under bold and artful leaders, prevailed alternately, and kept the devoted country in constant strife and agitation. Among the principal leaders were the Torres and Viscontis at Milan, the Vitanis and Rusconis at Como, and many others, whose histories, were they related in the impressive language of the ancient writers, would fully evince that men existed at this period no ways inferior to the most celebrated characters of Greece in acuteness, valour, and political energy. Chiavenna belonged to Como; but the chiefs of Milan had wrested from this emulous city the possession of the Valteline: Bormio, near the source of the Adda, had been surrendered by Como to the see of Coire: the Rusconis and Viscontis prevailed alternately at Lugano, and in the straits of Bellinzona: the Liventine valley was dependant on the chapter of Milan; and its inhabitants, either from habitual rapacity, or still remembering some former unsuccessful contest with their neighbours in the mountains, molested the travellers, and detained all the goods that came within their reach.

reach. This it was that induced the imperial prefect in the vale of Urseren to call upon the Swiss for assistance, and determined Uri to summon the commercial city of Zurich to co-operate in restoring the security of the pass. They met with no resistance either at Airolo, at Quinto the old tower of the Lombard kings, or at Faido the principal township in the valley; but no sooner was the banner seen at Giornico, than the Lord Franchino Rusconi hastened from Como and impeded their further progress. All Italy was at this time struck with a panic at the sudden and unaccountable invasion of John King of Bohemia; and this soon facilitated an accommodation. John Baron of Attinghausen, Landamman of Uri, concluded a treaty at Como, in which the Rusconis guaranteed the security of the pass.

The whole of the Oberland had during the late commotions been distracted by the animosities of two rival parties. The revived house of Kyburg still retained the greatest power in this province, on the lake of Thun, and in the Uchtland, and Upper Argau. This rich inheritance had now devolved to two minors Hartman and Everard, the latter of whom being destined for the church, was sent to prosecute his studies at Bologna; but his allowance being irregularly remitted, he returned precipitately

The Underwalders march in favour of Hasli.

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and laid claim to his patrimony. His mother the Countess Elizabeth, Count Hartman his brother, and the other relations of the house, who all entertained a mean opinion of Everard's understanding, treated his pretensions with derision and his person with marked neglect. Hartman caused him to be seized one night as they lay in bed together, and to be conveyed to a neighbouring castle. The captive Everard was now compelled to yield to an award of Duke Leopold of Austria, in which his interest had been notoriously sacrificed. At a numerous assembly of the nobles at Thun to celebrate this, as it was called, most happy reconciliation between the two brethren, Hartman uttered such taunting sarcasms against his injured brother, that many of the vassals, who still loved, and could not but pity the unhappy youth, drew their swords; whereupon a fray ensued, in which Hartman was killed. Count Everard immediately ordered the gates of the castle to be shut; and conscious of his danger, sent an offer to Berne, that if they would admit him a co-burgher of their city, he would make over to them certain of his estates,<sup>15</sup> and the paramount sovereignty over Thun. The Berners accepted the offer, marched to Thun,

<sup>15</sup> Heimberg, Sigriswyl, Griessisberg.

and received the oath of allegiance of the inhabitants; but they were disappointed in their hopes that Everard would die without issue, and that they might ultimately succeed to a still greater share of his dominions: he married, and had four sons, who all survived him. He reigned upwards of forty years, during which he displayed much wisdom and fortitude.

The disasters that befel King Frederick, and the excommunication of his rival Lewis, having filled the minds of the people with doubts and apprehensions, the principal cities of Upper Germany<sup>16</sup> joined with the Swiss cantons in a general covenant for the preservation of public tranquillity. Berne and Count Everard became parties in the league; but although they still ostensibly displayed a mutual kindness, the harmony between them was however by no means cordial, the latter bearing with impatience the superiority the city chose to arrogate. After the death of Duke Leopold, who was related to this line of the house of Kyburg, Count Everard scrupled no longer to enter into a close alliance with the Swiss cantons. He insured them a free passage over mount Brunig; and they, on

<sup>16</sup> Mentz, Worms, Spire, Strasburg, Constance, Lindau, together with the Helvetic cities of *Basle*, *Zuric*, *Berne*, and *Soleure*, anno 1327. On the renewal of this league in 1329, the Swiss and Count Everard took no part in it.

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the other hand, guaranteed all his territories, and admitted him to a far greater share in their domestic concerns than becomes a free people ever to allow to a sovereign prince. They authorized him, in case of any disputes among themselves, to assist in reducing those who might be refractory to the decision of the majority. The count not long after encamped with the Berners before the castle of the Baron of Diessenberg, who had annoyed the Baron Senn of Musingen their co-burgher; but not thinking that due deference was paid to his rank by the free-minded citizens, he abruptly quitted the camp, gave up all his connections with the Berners, repaired to Friburg, and became a burgher of that city. Other lords, especially those of Weissenburg and Gestelen, and the Count of Gruyeres, three of the most powerful nobles in the Oberland, bore also impatiently the restraint they experienced from the rising power of Berne, and like Everard of Kyburg became inimical to the city.

These animosities soon broke out into actual hostilities between Berne and John Baron of Weissenburg, Prefect of Hasli. The latter, in order to provide the means of carrying on the war with vigour, had, in the name of the empire, laid an additional tax on the people of that valley, against which they, being unwilling to bear

bear the oppressive innovation, appealed to their neighbours of Unterwalden. A plan was immediately concerted between them to compel redress: a day was appointed on which the men of Hasli were to advance along the western borders of the lake of Brienz, whilst the Unterwalders promised to descend into the valley of Habcheren, and meet them at Interlachen; from whence they proposed jointly to attack the neighbouring castle of Uspunen, the chief residence of Weissenburg. The men from Hasli, full of ardour and impatience, arrived near the castle before the appointed hour, and not wholly unexpected, and were easily defeated by the baron: eighteen of them were killed, fifty taken and confined in the castle, and the remainder returned greatly dismayed into their valley. The Unterwalders approached soon after; but seeing the fatal issue of the projected expedition, and unwilling to engage in open war with the Imperial Prefect, they quietly returned to their mountains. After the fifty prisoners had been detained upwards of two years at Uspunen, the Landamman of Hasli sent to the burghers of Berne, to conjure them, in the name of their well known magnanimity, and the friendship that had long subsisted between the two people, to aid his country in its present emergency; promising that, if effectually relieved, his people would

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would admit none but the city of Berne to the office of prefect over their valley. Berne soon found a plausible pretence, and marched against Uspunen : the castle was surrendered ; the prisoners released ; and the count accepted for the prefecture of Hasli the sum he had paid for it to the Emperor. It was stipulated that the criminal jurisdiction in this valley should still be administered in the name of the Emperor, and that the people should continue to pay him an annual retribution ; but that they should in all hostile attacks espouse the cause of Berne. The baron, having felt the impression of the arms of Berne, willingly became a co-burgher ; and henceforth, with all his castles and dependencies, participated in the fortunes of that city. To conquer by generosity appeared to its rulers the surest road to aggrandizement.

Lucern admitted into the Confederacy.

Two years after the expedition into Italy, and before the year of the unsuccessful attempt of the Underwalders in favour of the people of Hasli had expired, were the three Swiss cantons induced to admit a fourth into their confederacy. The descendants of King Rudolph had now so totally forsaken the maxims by which that monarch had prospered, that they seemed on all occasions inclined to pursue a conduct diametrically opposite to that which usually endears a sovereign to his people. The men of

Lucern

Lucern and Glaris, waving their unquestionable privilege of never marching beyond the confines of their countries, had engaged in the late wars of the dukes of Austria against the King of the Germans: they signalized their zeal and prowess on repeated occasions; and yet at the conclusion of a peace, the dukes neglected to pay them their stipulated subsidies. These wars, which no ways concerned them, had been particularly detrimental to the merchants, manufacturers, and all other descriptions of the people of Lucern: their commerce, particularly into Italy, was impeded; they were compelled to extend and raise their walls, and fortify their towers; and the flower of their youth were repeatedly sacrificed to the ambitious designs of the rapacious dukes. The deputies they occasionally sent to request the confirmation of their charters, or to demand redress, being for the most part nobles, or Austrian vassals, were more solicitous to ingratiate themselves with the sovereigns than to benefit the city. These and various other depressing circumstances had now greatly indisposed the minds of the burghers, when a mandate came from court reproving them for having reduced the coin of Zoffingen<sup>17</sup> to its standard value; commanding

<sup>17</sup> A town in the Argau, dependant on the house of Hapsburg.

them

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them to restore it to its former rate; and, as the exigencies of the times required considerable supplies, ordering an increase of their annual contribution.

The burghers, unaccustomed to such peremptory edicts, met in various parts of the city, and lamented the downfall of their ancient and once prosperous state. After much deliberation, they at length agreed to apply to the Swiss cantons for a cessation of arms. They deemed it unnecessary to apply to the dukes for their concurrence in this measure, being well apprized, that among the rights the ancestors of these despots had purchased from the abbey of Murbach, there were none which authorized its advocates to compel the people of Lucern to ruinous wars, and to extort from them exorbitant contributions. The Swiss, impressed with the equity of these motives, readily agreed to a twenty years armistice. This bold step on the part of the burghers alarmed the nobles, the constant opposers of all independence except their own, and induced them to collect forces from the Argau; and to endeavour, under pretence of certain feudal services, to introduce them into the city, and there to seize on the most obnoxious among the burghers. The Baron of Ramshwag Castellain of Rotenburg,<sup>18</sup>

<sup>18</sup> A town and castle not above five miles from Lucern.  
assembled

assembled three hundred horsemen, and led them in the night under the walls of the city : but the burghers, aware of the resentment they had provoked by their late daring act, guarded their gates, and when the troop presented itself, suffered only the baron and a few of his attendants to enter. Ramshwag, seeing that no means were left him but those of remonstrance, and that the majority in favour of the late truce amounted nearly to unanimity, withdrew, and led out with him all those who either thought themselves unsafe within the city, or who wished to display their unbounded zeal for the Austrian interest. The citizens soon after held a general assembly ; and resolved, in order to secure to themselves and their posterity the rights they had never forfeited, to demand admission into the league of the Swiss confederates: these held a meeting; and in the twenty-fifth year after they had themselves boldly asserted their independence, they, without fear or hesitation, admitted Lucern into their union as a fourth canton.

1332.

Neither of the contracting parties lost sight in this important transaction of the most rigid dictates of justice ; they confirmed all the privileges, jurisdictions, and feudal prerogatives, of the house of Austria. The municipal government of Lucern continued as before to be

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be administered by a council consisting solely of burghers, many of whom were nobles. It was also agreed, ' that no one as a confederate ' be ever favoured, or any ways exonerated, in ' judicial prosecutions: that every individual ' be without exception amenable to the magistrate of his district: that if in either of the ' cantons a man should be found guilty of a ' capital crime, official notice thereof be given ' to the other cantons: and that should the convict escape, none of the confederates should ' afford him either shelter or sustenance: that ' if (human nature being frail) a misunderstanding should ever arise between the three Swiss ' cantons, Lucern should, if it could not prevail ' by friendly expostulation, side with the two ' that shall be unanimous: that should any ' foreign or domestic foe ever disturb the peace ' of either of the four cantons, so as to induce ' its chief magistrate to declare that the intervention of the other cantons was become necessary, all the confederates should jointly assist in procuring redress, each exerting his utmost efforts, hazarding his life and property, ' and defraying all the expences he may incur in ' defending the common cause; and that should ' any confederate violate this sacred union, he ' shall be ever after considered as an outcast and ' a traitor.'

The

The duke's vassals in the vicinity of Lucern having publicly avowed their enmity against the whole body of confederates, compelled by repeated depredations the people of Lucern to confine themselves wholly within their walls, and even to forego the profits of their lands in the adjacent country. Irritated by these losses and vexations, the burghers resolved to retaliate by invading the Argau. The Castellain of Rottenburg, who was soon apprized of this intent (for civil wars have ever abounded in traitors), collected a force and watched their motions: he observed their disorderly march along the Reuss, and over the heights towards the lake of Zug, and suddenly falling upon them slew all those who had strayed from the banner; but two hundred Schwitzers, who came down the lake to share in the intended predatory war, having reached them at this instant, they jointly took ample vengeance on the enemy, prosecuted the expedition, and obtained the redress they had resolved to compel.

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A war in  
conse-  
quence  
thereof.  
1333.

The nobles hereupon formed a conspiracy for destroying in one night all the friends of the confederacy, and surrendering the city to the officers of the dukes. The conspirators met in the night of the festival of St. Peter and Paul,<sup>19</sup> in a remote arcade near the lake. A boy acci-

A conspi-  
racy at Lu-  
cern.

<sup>19</sup> June 29.

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VII.

mentally overheard all that passed at this assembly: he was discovered; but these blood-thirsty men, who were preparing to murder thousands, could not prevail upon themselves to sacrifice this youth to their own safety; they even omitted to secure him, and contented themselves with taking his oath that he would not speak to any of their adversaries. No sooner had he escaped from their hands, than he stole privately into the club-room of the butchers, where some of them were met at play; and, addressing himself to the stove, related where and for what purpose a number of armed men were at that instant assembled, and assigned the reason why he did not divulge the matter to any living person. The butchers hastened to apprise the magistrates of the conspiracy, and the whole city was instantly in arms. The leaders, seeing their plan defeated, endeavoured to conceal themselves; but several of them were recognized by their weapons, or by the badge of a red sleeve, by which they had agreed to distinguish themselves. They were conducted to prison; and messengers were immediately dispatched across the lake, who brought three hundred confederates from the valleys, with whose aid the tranquillity of the city was effectually restored. The administration of public affairs, which till then had chiefly centred in a few

few patrician families, was now transferred to a grand council of three hundred respectable burghers; but the power of levying taxes, of ordering public purchases or alienations, of making war or peace, and of forming alliances, was vested in the community at large. By the wise and humane interposition of the three confederate cantons, not one of the conspirators was put to death, nor even legally deprived of his franchise, or excluded from the public offices of the city. Gratitude as well as fear might have softened their disappointed rage, were not wealth more frequently combined with insatiable ambition than with true generosity.

A war with Rætia, whose nobles, instigated no doubt by the friends of Austria, had committed frequent depredations on the frontiers of the cantons, led the banner of Uri into the vale of Urseren, where it met the men of Disentis; who, in defiance of the avowed privileges of the people of that valley not to interfere in neighbouring contests, had been sent to shut the pass against the Swiss. The forces of the abbot were defeated, and their leader was taken prisoner: whereupon Franchino Rusconi, who had recently usurped the supremacy at Como, granted to the people of Urseren, and of the four cantons, an absolute exemption from

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Progress  
towards  
Italy.

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VII.A general  
pacifica-  
tion.

from all tolls both in his city, and throughout the pass of Bellinzona.

1334.

The Dukes Albert and Otho, either exhausted by their Bohemian and other wars, or favourably inclined by the moderation displayed by the people of Lucern on their late reception into the Swiss confederacy, not only abstained from all hostile attempts in these parts, but even consented to a general pacification, during which it was agreed that all matters relating to the cantons should be amicably adjusted. A charge was meanwhile brought before the Emperor, relating to the admission of Lucern into the confederacy, in which the Swiss were taxed with having abetted rebellious subjects against their lawful sovereign. The cause was referred to eight arbitrators selected from the cities of Zurich, Berne, and Basle : who, having acknowledged the harmless tendency of the confederacy, agreed upon an impartial award, which was ratified by the Emperor ; and peace was at length restored to the four forest cantons and all the countries with which they held any intercourse.

An in-  
stance of  
generosity.

Instances of magnanimity occur so seldom in the annals of mankind, that every historian, not wholly devoid of generous feelings, must rejoice whenever his subject leads him to some striking

striking example of true benevolence and disinterested virtue. The burghers of Soleure had during the warm contests for the imperial throne, espoused the cause of Lewis of Bavaria, and thereby incurred the indignation of the house of Austria. Duke Leopold advanced with a powerful army, besieged their town, and threatened its extirpation. A violent fall of rain brought on a sudden inundation, which, besides destroying all the stores, engines, and implements of the besiegers, endangered a wooden bridge they had constructed for the sake of a communication between different parts of the camp: the duke had posted a great number of men upon it, who, in order to steady it against the impetuosity of the torrent, had loaded it with great heaps of stones. This precaution however proved ineffectual; the bridge gave way, and the men were perishing in the stream. The burghers at this disastrous moment forgot their enmity, took to their boats, and at the imminent danger of their own lives, hastened to the relief of their perishing antagonists: they saved the greatest number of them, fed them, cheered them, and sent them back to the camp. The duke hereupon, attended by thirty knights, came to the walls, and desired to be admitted on friendly terms. On being honourably received, he granted a banner

(1318.)

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banner to the burghers as a token of perfect reconciliation, and declared that their generosity had completely vanquished his resentment. None of his wars ever terminated so much to his advantage.

State of the  
country.  
(Cultiva-  
tion.)

The further the people of Helvetia extended their commerce into Italy, Germany, France, and Flanders, the more did they exert themselves in the improvement both of their lands and manufactures; and the convents in particular continued to extend cultivation to the remotest parts of the most barren Alps. Many religious foundations of great extent,<sup>20</sup> took their rise from the fervent and undissembled devotion of these times. The wealthy barons knew of no better way to insure eternal felicity, and to perpetuate their memory, than by founding masses, and ordering the commemoration of the days of their demise. The monks on these days held a feast, and fed the poor of the vicinity: many of them cultivated with their own hands spots which, without their labours, would long have continued barren: they likewise kept schools; and (though often restrained by their secular patrons) ever and cheerfully practised the duties of hospitality.

<sup>20</sup> Val-Sainte above Corbieres, La Part-Dieu near Gruyeres; both Carthusian convents of considerable extent: and several others.

The hides and wool of the flocks were manufactured at Berne and Friburg; insomuch, that at the time when England and Venice exported their raw wool, these cities had a considerable trade in cloths, which a Fleming had taught them to dye. The rest of their commerce consisted chiefly in iron, horses, cattle, and falcons, which they exchanged for spices and the fruits of the southern climates: but except these few articles, and some silks from Zurich, linens from St. Gallen, and the trifling exports of some other towns, this country had by no means attained the great line of commerce for which, from its situation, and the coincident circumstances of Europe, it seems to have been peculiarly adapted.

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(Com-  
merce.)

Arnold of Brescia had two centuries before (Religion.) this era already weakened the ascendancy of the clergy in the greatest part of Helvetia; and their influence gained no ground by the severity they practised in the Uchtland, where they caused some pious visionaries to be burnt alive. The people in general were countenanced in their disregard of the secular clergy by the Franciscan friars, who under the guidance of learned leaders were not afraid to arraign even the head of the church. This mendicant society had acquired such favour among all ranks of men as excited the jealousy of every other order.

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The influence of the higher clergy meanwhile diminished sensibly: the ecclesiastical government of St. Gallen had in several contested elections become feeble, odious, and oppressive; and its influence was in general much circumscribed by the powerful lords and burghers. A great part of Christendom learnt, with little surprize and not the least resentment, that a dignified prelate, sent from Rome to publish the papal excommunication against the Emperor Lewis, had been led by the burghers of Basle to the highest part of their city near the minster, and thence cast headlong into the Rhine, where he actually perished: nor was it thought an enormous impiety in the burghers of Zurich, who on the same occasion of the excommunication of the Emperor, when the clergy were prohibited to celebrate any religious functions or ceremonies, were so little dismayed at this inhibition, that they lived eighteen years without any service, except what was performed by the Franciscans.

(In general.)

If we consider attentively the arduous struggles of the forest cantons for the maintenance of their own independence, and the privileges of their neighbours; the martial spirit of the city of Berne;<sup>21</sup> the successful energy of Zurich;

<sup>21</sup> The Berners, in a quarrel they had with the Count of Kyburg and the city of Friburg, took and demolished the castle

and, on the other hand, the strenuous efforts of Austria and Savoy <sup>22</sup> for their own aggrandizement : if we contemplate the progressive state of industry, the frequent civil commotions, the rising dissensions in the church, and the distracted state of the empire, we shall not be wholly unprepared for the revolution that soon after took place at Zurich, the imminent but in the end beneficial danger of Berne, and the spirited participation of the forest cantons in the great events of those important times.

castle in the strong pass of Gumminen, Landshut, and other places, and greatly signalized their prowess on various other occasions.

<sup>22</sup> The factions in the restless and ungovernable city of Geneva, facilitated to the Count of Savoy the acquisition of sundry castles and domains, near and within its walls ; this count continued also to extend his power both in the Valais, and the Pays de Vaud.

## CHAP. VIII.

*Revolution at Zurich. War of Laupen.*CHAP.  
VIII.

1. Change  
in the Con-  
stitution of  
Zuric.

**I**T is a fact, perhaps not less inexplicable than true, that among the many free constitutions which owed their origin to the virtue and wisdom of single legislators, few have subsisted for any length of time; while those which have continued for ages have in general been brought to their state of maturity not by any premeditated plan, nor by the predominant abilities or ambition of individuals, but by the slow progress of gradual emendations, adapted to and arising out of the occasional emergencies of the times.<sup>1</sup> Such is to this day the British polity, which in its progressive improvements has for centuries been the admiration and envy of less fortunate nations; and such was the Helvetic Confederacy, which but for the perfidy and supineness of some of its members, and the exor-

<sup>1</sup> Since, as has often been experienced, one man of an ardent mind and sinister views may in an instant subvert a government raised by the sober wisdom and progressive efforts of many generations, how cautious ought men to be in listening to specious plans of ostensible reforms, the real tendency of which is seldom known to those who are principally instrumental in the convulsion!

bitant preponderancy of a rapacious conqueror, would, with a few seasonable amendments, still subsist a monument of the wisdom and moderation of a brave and honest people. Such a progressive change in its form of government did Zurich experience at this period; in the effecting of which the passive acquiescence of the people had a far greater share than the daring audacity of an artful and aspiring demagogue.

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The supreme power at Zurich was shared between the Emperor and the people; the former by his prefect administered criminal justice; and the people were represented by a council, in whom was vested the legislative power: the avoyer, chosen by the lady abbess, decided all civil causes; and the bailiffs of the two abbeys held courts for all cases that related to their wide domains. The burghers were assembled by the toll of a great bell in a public walk,<sup>2</sup> and there deliberated on the great concerns of the city: they decreed, in case of a contested election to the empire, which king should be acknowledged by the city: they determined whether an advocate should be appointed; whether war should be declared; whether new clauses should be added to their original compact:<sup>3</sup>

State of  
Zurich pre-  
vious to it.

<sup>2</sup> A mall planted with lime trees, called the *Lindenboff*, at the highest part of the city.

<sup>3</sup> This code was called the *Richtbrieve*.

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and here they also regulated the weights, measures, and prices of provisions. They were convened once in four months for the purpose of electing the council,<sup>4</sup> which consisted of twelve nobles and four-and-twenty burghers, who were divided into three rotas, each of which administered the affairs of government during four months. In most cases they exerted the right of revising the sentences of the avoyer, and even of the imperial prefect. An intimate union was the main object of this constitution ; and hence, though some guilds were tolerated to promote the progress of certain trades, yet, aware of the pernicious effects of partial interests and limited connections, they ordained that whoever should attempt to establish an exclusive society or corporation, should be fined ten marks of silver, and have his house razed to the ground. Whenever two burghers persisted in a contest, they were both sent out of the city. A great part of the city having been burnt by the heedlessness of a baker,<sup>5</sup> an order was issued, that the ovens should never have wooden doors; and a fire-police was established which annually inspected whether the

<sup>4</sup> The burghers, at these meetings, had the option of electing a new rota, or of only filling up the vacancies.

<sup>5</sup> In 1280.

houses were duly covered with tiles or sod. Many began now to build with stone.

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Public contributions were then already levied, but they were moderate, and the greatest economy prevailed in the expenditure. The nobles and priests were exempted from certain dues to the empire; but towards the exigencies of the state, and the excise imposed on various articles of consumption, all paid alike. An assassin was taken by force out of the house even of a priest; but no one, not even a senator, would venture into the house of a burgher, until the latter had refused to surrender the culprit. In all personal contests the magistrates, in order to prevent the dangerous effects of private revenge and of sudden gusts of passion, interposed without delay. The laws concerning property were fully explicit, and most of them positive. Markets were appointed; and severe laws were enacted against forestallers, and adulterators of wine or other provisions. All houses of public resort were ordered to be shut at the second evening bell: houses of prostitution were altogether suppressed.<sup>6</sup> Men loved to meet in convivial parties, to play at draughts and dice; but noisy revels were obviated by various regulations: the number of guests and even musicians<sup>7</sup>

<sup>6</sup> Prostitutes before this were enjoined to wear red caps.

<sup>7</sup> Two fiddlers, two hautboys, and two singers.

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at weddings was for this reason limited by law. The great concourse of strangers, the leisure derived from opulence, and the habits of social intercourse, soon expanded the minds, and induced a taste for works of fancy and the elegant arts. The name of the senator Roger Manesse, a patron of literature, has survived those of all his colleagues; and both his town-house and country seat were the resort of all whom genius and erudition had raised above the vulgar: he left behind him a selection of the songs of more than one hundred and forty minnesingers;<sup>8</sup> who chiefly in his time had enlivened the courts of many princes, cheered the solitary castles and hamlets among the Alps, and often soothed the turbulent passions of haughty barons, no less ferocious in their anger than the tigers once tamed by the lyre of Orpheus. Refinement was spreading through all ranks, and the sciences were making rapid progress, when inordinate passions and contentious arrogance once more prevailed; and the Muses who had strayed to these mountains, far higher and more romantic than their once favoured Parnassus, again fled to heaven, and left the world to dark polemics, scholastic jargon, and the perversion of reason.

<sup>8</sup> Lately published by Bodmer.

Such were the spirit of the constitution, and the manners at Zurich, one hundred and eighteen years after the death of the fifth Berthold of Zæringen, the last who had exerted a sovereign sway over the city; when its rulers, as if their assemblies had now become decrepid through age, yielded to a convulsion which in the end proved fatal to their authority. Those who were least in power complained loudly, ‘ that the public cause was sacrificed to private interest; that the lives, honour and property of the burghers were no longer protected; that the public funds were profusely lavished; and that no accounts were rendered of the expenditure: that the proud senators who ruled the state scarcely condescended to listen to the people, and that their manners were at all times sullen and overbearing; that their decrees were arbitrary; and that they had pronounced unjust sentences respecting some imperial fiefs, to the great detriment of several illustrious families.’<sup>9</sup> The chief among these

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Change of  
the Consti-  
tution.  
1335.

<sup>9</sup> These charges do not appear to have been founded; but similar ones may be made in the best-governed states, and however false will find abundance of believers. The art practised on this occasion of extending the grievances to the imperial dependencies is manifest; since it could not fail to gain to the party, at least the connivance, if not the concurrence, of the empire.

agitators

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agitators was Rudolph Brun, a man of subtle parts, in the prime of life, rich, and himself a senator. ‘Our free city,’ he exclaimed, ‘is sinking into intolerable servitude: I who am wedded to the cause of my oppressed fellow-citizens, am for that reason held in abhorrence by the senators. You citizens who by your numbers, your ample fortunes, and intrepid spirit, have the whole city in your power; you who have nothing to fear may, with moderate efforts, save your country and preserve your laws: if you hold together, you will govern the state far better than your present haughty rulers; and if you are firmly resolved to assert the freedom which is your birthright, I am ready to stand by you, and to sacrifice my life and fortune in your cause.’<sup>10</sup> Many irritated, because some senator might at times not have paid them due deference; some aggrieved by a particular tax, which they hence thought superfluous and oppressive; numbers who, having been cast in law-suits, arraigned the justice of the magistrate; all who had nothing to expect from the old, but looked for great advantages from a new administration;

<sup>10</sup> This speech is in many respects so similar to one delivered on the 10th of Sept. 1797, at a club in London, that it is necessary to declare that the above is a faithful version of Muller’s German text, printed in 1786.

not few from the mere ties of friendship or love of novelty; and every profligate and audacious miscreant who, because a government controls his pernicious inclinations, is ever studious to effect its downfall; all these sided with Brun, and though their numbers were formidable, yet their projects eluded the vigilance of the senate. Secrecy on these occasions adds greatly to the consciousness of self-importance.

On the first day of May, when the term of the first rota of the year was expired, the burghers met in more than usual numbers, and the next rota presented itself for their confirmation. One of the people hereupon came forward, and demanded that the public accounts for this and some preceding years be laid before a meeting of the burghers; and some of the senators of the second rota, friends of Brun, stood up and declared their approbation of the demand. Those of the former rota, struck with astonishment, could urge nothing in their own behalf, but that dangerous innovations were meditating, and called the rest of the senate to their assistance. Brun saw their weakness, and, as becomes every popular leader at the beginning of an insurrection, made a great display of candour and moderation. The senate was allowed to withdraw, and to deliberate at leisure on the request of the community. Few magistrates  
who

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who spend their days in courts or council chambers acquire a sufficient knowledge of the people they govern ; the experience upon which they pride themselves relates chiefly to the formalities of office. The senators of Zurich looked upon this attempt as a momentary gust, which would soon subside of its own accord, and, being incapable of strong decisive measures, resolved to temporize.

Brun observed their feeble conduct during six weeks, and then caused it to be insinuated to the people that the senate mocked them. Accordingly on the next festival of St. John the Baptist great crowds of burghers met at the lower bridge near the town-house, where the great council was assembled, and with loud murmurs (Brun had so contrived it) called for redress. The senators were terrified : three of them declared for the people ; and seventeen, with one-and-twenty of their friends, fled hastily out of the city ; and thus by a mere well-timed menace was the whole magistracy at once dispersed. The people hereupon declared their intention to punish all those who had betrayed their trust ; and in the meanwhile committed the administration of the city to those senators of the first rota who had remained behind.

The whole community soon after this held  
an

an extraordinary meeting, at which all charges against the former administration having been discussed and loudly reprobated, it was decreed, 'that the public accounts be demanded of all the rotas; that the present form of government be reformed; and that meanwhile Rudolph Brun should be invested with the supreme authority.' All the senators upon this fled, and proved that they possessed no other dignity but that which they derived from their offices.

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After three weeks twenty-four of the exiles, prompted by their solicitude for their property, demanded safe conducts and a hearing. They appeared before the people on the first Sunday in August; but none seem to have known how to revive the veneration and love that had long been cherished for the constitution, or how to appeal to their past conduct for the rectitude of their intentions. Brun suffered them to retain their houses and gardens, the shackles that pinnioned their very souls, but on condition that none of them should be alienated. They were fined and banished, and their children were declared incapable of holding offices in the city: they were also debarred from accepting, unless with the special leave of Brun, the burghership of any other town. Those who stayed away were deprived of their whole property, and  
banished

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of govern-  
ment.

banished for ever. Thus ended the old constitution of Zurich.

Brun, now the supreme arbiter of the state, hereupon assembled the whole community; which under his influence sanctioned the following form of a new constitution. ‘ Rudolph  
‘ Brun, knight, shall during life with the title  
‘ of burgomaster, be the chief magistrate of the  
‘ city; and shall be assisted by a council composed of knights, burghers, and tradesmen:  
‘ every burgher, when arrived at the age of  
‘ twenty, or sooner if required by the burgomaster, shall swear to aid and support him and  
‘ the council in all emergencies, save to the  
‘ prejudice of the empire and the minsters: the  
‘ burgomaster, on the other hand, shall swear  
‘ to administer strict justice; and to afford to  
‘ the utmost of his power vigorous protection  
‘ to the city: all the burghers of the order of  
‘ knights, and those who exercise no trade, shall  
‘ form a military tribe under the name of the  
‘ constables:<sup>11</sup> these shall bear the banner, and  
‘ defend the chief magistrate and state: the  
‘ burgomaster shall every half-year name two  
‘ nobles and four others, either nobles or plebeians, who shall choose out of the tribe of  
‘ constables thirteen senators, of whom six shall

<sup>11</sup> Constabularia, *i. e.* centuria militaris. v. Ducange voce *Comes stabuli*.

‘ be nobles and seven plebeians : all the crafts  
 ‘ shall be distributed into thirteen tribes, with  
 ‘ each a banner: each of them shall consist of a  
 ‘ tribune and associates ; the former shall be  
 ‘ chosen by a majority of the latter, and, by a  
 ‘ similar election, shall be changed every six  
 ‘ months: in all cases of equal numbers of suf-  
 ‘ frages in an election, the burgomaster shall  
 ‘ have the casting vote: the thirteen tribunes  
 ‘ shall swear allegiance to the burgomaster ;  
 ‘ and with the thirteen constables, shall consti-  
 ‘ tute the great council : this council will thus  
 ‘ be changed every six months.’<sup>12</sup> Reserving  
 all the rights and prerogatives of the Roman  
 empire and its sovereign, this constitution was  
 formally accepted by the burghers on the Tues-  
 day succeeding the festival of St. Mary Mag-  
 dalen, and ratified with the seals and signatures  
 of Elizabeth,<sup>13</sup> by the grace of God, Abbess of  
 the monastery, and the reverend the provost,<sup>14</sup>  
 and all the canons of the great minster of  
 Zurich. The Emperor Lewis of Bavaria also,  
 soothed by the solicitude that had been shewn  
 for the rights of the empire, did not long hesi-

<sup>12</sup> On the festivals of St. John the Baptist, and St. John the Evangelist.

<sup>13</sup> Of Mazingen.

<sup>14</sup> Kraft Count of Tockenbourg.

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tate to give his sanction to this new form of government.<sup>15</sup>

The tribes in this new constitution comprised all the burghers who exercised mechanical professions; but they were not restricted to any particular craft. The guilds, on the other hand, were thus restricted; and were instituted at a time when in the infancy of trade certain professions could not have subsisted without exclusive privileges. A guild might contain more than one craft; and as men in those times often exercised more than one art, the same man might belong to more guilds than one. Men only could belong to the tribes; but women were admitted into the guilds. The body of the burghers might thus be considered as a confederacy of fourteen communities, each having its peculiar regulations, a distinct jurisdiction, its own arms and treasury. The tribunes protected their respective bodies in the council; and with the concurrence of Brun, who favoured them in order by their means to awe the constables, obtained the preponderancy. Those who maintain that general suffrage in a nation (the real or pretended idol of a party in our days) is truly a political evil, will think this constitution materially defective, inasmuch as

<sup>15</sup> Anno 1337.

it incessantly disturbed those who, by their education and employment, and, among the sober part, by their habits and inclinations, were formed for domestic cares. The blame lay with Brun, who proposed such a constitution to favour his private views; and with the constables, whose spiritless supineness fully entitled them to the insignificance to which they saw themselves soon after reduced.

John Count of Hapsburg Lauffenburg, Lord of Rapperswyl and of the marches near Schwitz, and co-burgher of Zurich, who could not behold this revolution with calm indifference, afforded protection to the exiles, most of whom had taken refuge in his town of Rapperswyl; nor was their cause wholly abandoned by the numerous friends they had left behind them in the city. A report which was now spread of a real or pretended conspiracy to set the town on fire, became a plausible pretence for Brun to put several citizens to death, and afforded him means of yet further extending his predominant authority. No one was now suffered to remain in Zurich who did not swear implicit obedience to the burgomaster: whoever left the city without his leave forfeited his property, and was banished for ever. The most intimate friends and nearest relations were strictly enjoined not to meet in greater numbers than five: and even

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this small assemblage was soon after restricted to three. Whoever after a certain hour in the evening appeared in the streets without a light, was imprisoned: every burgher was enjoined, under heavy penalties, to appear at a certain signal in full armour; and all the horses in the city were ordered to be at Brun's disposal.

Brun's policy.

An expedition he undertook against Rapperswyl in which he gained no military fame, served however to rivet still closer the fetters he had forged for his fellow-citizens. He now obtained a guard for his person: he dexterously availed himself of many errors committed by the exiles for want of a concerted plan and an able leader, and obtained many advantages over them: he renewed the alliances that had formerly subsisted between his city and Basle, Constance, and St. Gallen; and was true to several occasional engagements he entered into with Austria, the Knights of St. John of Jerusalem, and the Abbot of Pfefers. He interfered effectually in the administration of Shaffhausen, where anarchy was at this time prevailing; and obtained a marked ascendancy in all the neighbouring towns and countries. Thus did a single individual without arms, with scarce any bloodshed, under the pretence of opposing a tyrannical administration, at once overturn a long-established government, and as suddenly

rear

rear an absolute power of his own, uncontrouled by laws, and secure against the inroads of popular commotions. He attached to his cause the constables by the senatorial dignity they held under his auspices; the plebeian burghers by the importance of their tribes which he modified; the tribunes by his casting vote at their elections; the old, the young, the rich, the poor, the contented, and the dissatisfied, by the most solemn oaths. He knew well how to frustrate any attempt similar to his own. Nothing being so fickle as a multitude, he restrained their inconstancy by the reciprocal competition of the tribes. The rich and the nobles he excluded from the plebeian tribes, being aware that by liberality and condescension they might acquire an ascendancy and become formidable tribunes. The tribunes whom he was instrumental in promoting, were men who possessed that sort of policy which is learnt in the shops and clubs of tradesmen; the skill to manufacture goods out of the cheapest materials, and to sell them at the highest prices: in all other things they were subservient to his dictates. No one will probably assert that the art of government is easier than a mechanical profession; and yet many men, possessed of more presumption than candour, think that, although they could not make a hat or a shoe without previous practice and instruction,

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instruction, they are yet able, without the preparatory education that qualifies for rule, to co-operate in the administration of a state. That such innate aptitude had fallen to their share, Brun had the art of persuading the meanest burghers; and by that means rendered them inflexibly wedded to his opinions, and addicted to his will. Conscious that he could not with impunity relinquish the helm which he held by cunning and fascination, he neglected no means to strengthen, and firmly to establish, his authority. Men like Timoleon, Solon, and Lycurgus, knew how to sacrifice their personal power to immortal fame; but Brun was a man of a very different description.

2. War of  
Laupen.

The city of Berne had not long before this period purchased the mortgages of the imperial prefectures of Laupen and Hasli; but these and similar territorial acquisitions contributed much less to its advancement and security, than the increasing number of its powerful co-burghers, and above all the fame for wisdom and firmness it had universally established. The nobles cultivated their lands, and practised martial exercises: the people were chiefly addicted to the four trades of bakers, butchers, smiths, and tanners: their only article of commerce was cloth. The burghers revered in their rulers not only their strict justice and probity, but also  
their

their commanding spirit, which knew on peculiar emergencies how to waive the nice formalities of office, and consult merely the welfare, preservation, and honour of the state.<sup>16</sup> Having nothing to apprehend on the part of their citizens, the whole attention of these magistrates was directed towards the avowed hostile designs of the Austrian princes, and the great counts and barons. To guard against these they frequently met in council. The young burghers were ever ready at their call: whenever the alarm-bell tolled, and the banner was displayed, a well-appointed host instantly rushed through the gates under the avoyer or the banneret. The men sung their former exploits: lofty plumes waved on the helmets of the young knights; conscious of freedom and of matchless vigour, exhilarated by the sober enjoyment of juvenile pleasures, all their energies were raised to the highest pitch of martial ardour; they felt equal to the hardest enterprizes. Berne was then nearly as large as it is at present; but there were many gardens within its walls; it was as yet built of wood. Among its inhabitants were many noble families, and others equal to the most noble in worth, riches, and consequence.<sup>17</sup> It was at all times honoured by the Emperor, whenever he

<sup>16</sup> As writers of genius are allowed 'to snatch a grace beyond the reach of art.'

<sup>17</sup> The nobles and plebeians frequently intermarried.

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was apprized of its spirit and generous purpose.<sup>18</sup> Firm in the midst of dangers, fearless though surrounded by many inveterate foes, it vied in virtue, sound maxims, and successful arms, with ancient Rome, even in the first and more splendid period of its freedom.

1538.

In the year one hundred and forty-seven after the building of Berne, a project was formed by the great counts and barons of the Uchtland, Argau, and Upper Burgundy, to subvert that aspiring commonwealth; which at this critical period was without a protector, and abandoned by most of its allies. Had Berne perished at this time, the Helvetic Confederacy would probably in vain be sought for in the annals of the human species.

Ostensible  
causes of  
this war.

Some vassals of Count Rudolph of Nidau, of the house of Neuchattel, had about this time, perhaps on account of a secret antipathy they entertained against the Erlachs, who had become burghers of Berne, seized a number of waggons which were conveying corn to certain neighbours protected by that city. This count had proved himself an eminent warrior, and to him did the towns of Nidau and Erlach owe their walls and various privileges. Count Rudolph of Neuchattel, Lewis his valiant son, the

<sup>18</sup> Several Emperors were received at Berne, and entertained with great pomp and festivity.

Counts Peter of Arberg and Gerard of Valengin, all of the same house, were by their extensive fiefs, alliances, intermarriages and martial feats, eminently distinguished at the Imperial court, in Austria, Savoy, and all over Burgundy. They all publicly avowed their animosity against the Berners. Count Everard of Kyburg, no less inveterate against them, laid about this time a formal complaint before the Emperor, taxing them with having refused the coins which he had struck under the Imperial sanction. Lewis, whose authority the Berners, on account of the Papal interdict, or prompted perhaps by their aversion to all foreign sway, were unwilling to acknowledge, listened to the charge; and it became obvious that he meant to chastise their city.

All the abovementioned Lords of the house of Neuchattel, the Counts of Kyburg, Gruyeres, and many others from the Uchtland, Argau, and the Pays de Vaud, assembled now in the castle of Nidau, and were there met by the deputies of Friburg, once the ally of Berne, but now under the entire influence of the lords. It was here agreed, ‘ that the innumerable insults ‘ they had of late sustained proceeded all from ‘ one single cause, the attempts of Berne to ‘ wrest the power from the hands of the nobles, ‘ and to transfer it to the people: that hence ‘ it

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‘ it would be in vain to coerce the city in single instances; but that the evil would not be remedied until its total demolition.’ This object they bound themselves by oath to accomplish without delay; and instantly conferred on Count Gerard of Valengin, the imperial prefect in these parts, full powers to make all necessary preparations. While these were carrying on they cut off all communication with Berne; and all who saw the approaching conflict between a single city and the vast collective forces of the Roman empire, joined to those of the many exasperated lords who had vowed its utter ruin, were filled with doubt and anxious expectation.

Conduct of  
Berne.  
*a.* In the  
Council.

The city at this fearful moment sought no protector, and yet betrayed no rash audacity. The council assembled under the avoyer John of Bubenberg the elder, and with its wonted dignity resolved ‘ to satisfy all just demands, and to repel force by force.’ A conference was proposed to the lords and accepted by them: it was held at Burgdorf. Here Count Gerard demanded, in the name of the Emperor, the obedience of the Berners, and the payment of three hundred marks as a fine for sundry acts of contumacy. The Count of Kyburg, who in the days of his necessity had mortgaged certain revenues to the city, demanded the redemption of his pledges; and declared that he would no longer

*b.* At a Congress.

longer suffer his subjects to accept of the co-burghership of Berne. Count Rudolph of Nidau complained likewise that the offer of this co-burghership seduced many vassals from their allegiance to their lords, and that recently three men of his town of Nidau had been admitted to the freedom of the city : Peter Count of Gruyeres required that the Lord of Weissenburg, who had lately become a citizen of Berne, should be compelled to discharge a debt he owed to his family ; the sum he estimated at eight thousand livres Berne currency : this claim was backed by the citizens of Friburg, where the count was a co-burgher. These citizens also alleged that the Emperor had authorized them to redeem the mortgage of Laupen. The deputies of Berne declared, ‘ that as soon as Lewis of Bavaria should be reconciled with Rome, they would pay him their due homage as head of the empire ; that as soon as the Count of Kyburg should discharge his debt, they were ready to surrender the deed of mortgage ; and that with this money they would satisfy the claim of the Count of Gruyeres, although much might be alleged concerning the usurious charge made against the Lord of Weissenburg : that as they did not acknowledge the authority of Lewis, they could not consider his mandate concerning Laupen as obligatory :

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‘obligatory: that they had heard with surprise  
 ‘the charge brought against them for admit-  
 ‘ting co-burghers, since this privilege had been  
 ‘granted and confirmed to them by various  
 ‘kings and emperors, and was daily exercised  
 ‘by other cities, and by the lords themselves:  
 ‘that they had never abetted a vassal against  
 ‘his liege lord: that peace and justice should  
 ‘never be refused by them; and that for the  
 ‘sake of peace they were willing to make every  
 ‘sacrifice, justice only excepted.’ But all these  
 concessions availed not. The lords profited by  
 the delay, and completed their preparations.  
 The Berners hereupon demanded a conference  
 with the deputies of Friburg, whom they trust-  
 ed the remembrance of their common origin,  
 and the friendship that had long subsisted be-  
 tween the two cities, would bias in their favour;  
 but they received no encouragement, and Berne  
 saw itself abandoned on all hands.

Prepara-  
 tions of the  
 lords.  
 1339.

Frederick Duke of Austria, who was then at  
 Lenzburg, on hearing of the intention of the  
 lords, sent one hundred helmets under Count  
 Henry of Furstemberg to join their army, and  
 ordered all his bailiffs in the Argau to raise  
 forces in their cause. Count Rudolph of Nidau,  
 besides his levies in these parts, sent also for all  
 his retainers out of Alsace and Suabia. The re-  
 port of this great enterprize was spread through-

out

out the Alps of Savoy, and beyond the Jura. Seven hundred lords with crowned helmets, twelve hundred knights in complete armour,<sup>19</sup> about three thousand horse, and no less than fifteen thousand foot, were now assembled against Berne. The citizens were daily apprized of their approach, their numbers, their threats, and the contempt in which they held the burghers. Anthony of Blankenburg, the Of Berne. Bernese governor of Laupen, having sent for immediate reinforcement, John of Bubenberg assembled the council and the principal burghers. Aware how much it imported not to betray the least sign of fear either to the enemy or the people, he rose and pronounced a solemn oath 'to sacrifice his life and fortune for the defence of Laupen : ' the senators and burghers followed his example. It was then decreed that one out of two sons in every family should be drafted for this important service. Six hundred men were instantly arrayed, and under the command of John of Bubenberg the younger marched to Laupen, fully resolved to defend that important post to the last drop of blood. The object was not merely to preserve that town, but chiefly to uphold the courage of the people.

<sup>19</sup> *Ferreis muris armati.*

Meanwhile

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Meanwhile the enemy appeared before Laupen. Every new band under its count or baron was received with shouts of acclamation. The Counts of Valengin, Arberg, Neuchattel, Nidau, and Gruyeres; Montenach with one hundred helmets; Furstemberg with a select body from the Argau; the bishops of Basle, Lausanne, and Sion; were all assembled: when John the only son of Lewis of Savoy came into the camp with one hundred helmets, having been sent by his father to appease, if possible, this dangerous conflict: he repaired to Berne; but his endeavours proved ineffectual. The lords used every argument to induce him to engage in their cause: in an ill-fated hour he forgot the injunctions of his fond parent, and continued in the camp.

The Berners  
choose  
a Com-  
mander.

The Berners, aware that on the momentous day when the issue of a battle would decide their own freedom and the fate of their posterity, all would depend on the conduct of their leader; were greatly perplexed as to the choice of a commander. Many among them had conducted partial wars; but not one thought himself equal to the important charge that was now to be conferred. They had not among them men who, being skilled in the nice precision of parade tactics, to which they annexed a mysterious consequence, and having risen in the re-  
gular

gular succession of subordinate ranks, were become peremptory and assuming:<sup>20</sup> and they knew how rare those men are, whose minds are sufficiently capacious to comprehend at once the whole plan of a campaign, to combine the co-operation of its various parts, and to provide for the issue of every possible event. The senate and burghers were in this state of anxious hesitation, when Rudolph d' Erlach, son to the chief under whom many of the aged burghers remembered to have defeated the Lords at the Donnerbühel, rode into the town. He was descended from one of the founders of the city, and his ancestors had ever since been at its helm: he was in the most vigorous period of life: he possessed large estates, and delighted in the cultivation of his lands: he was at the same time a burgher of Berne, and a vassal of the Count of Nidau. Scorning to betray his allegiance to his liege lord, he repaired to the count, and dissuaded him from the intended expedition against Berne: his remonstrance was rejected; and Nidau consented to his joining his co-burghers, observing, that out of two hundred helmets, and one hundred and forty knights, addicted to his service, he could well

<sup>20</sup> Such generals the great King of Prussia compared to the mules of Prince Eugene.

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spare a single man.—‘ You say, my lord count, ‘ that I am a single man,’ answered Erlach on taking leave : ‘ I trust I shall prove to you that ‘ I am a man.’

At the sight of Erlach in the streets of Berne, the remembrance of the victory gained by his father started suddenly into every mind. A general acclamation conferred on him the supreme command, and the avoyer delivered the city banner into his hands. He then addressed the people : ‘ Six battles,’ he said, ‘ have I been ‘ engaged in, in which the smaller number have ‘ prevailed over numerous armies. Strict sub- ‘ ordination alone can insure success; and with- ‘ out it the most intrepid valour can avail but ‘ little: you who are born free are naturally ‘ impatient of controul; but you will cease to ‘ be free if you refuse to yield when your obe- ‘ dience becomes necessary. I fear not our ad- ‘ versaries: with God’s aid and yours I will ‘ dare their multitude, even as we did in the ‘ days of my father; but of this be well aware, ‘ that I will not be your commander unless I ‘ am invested with absolute authority.’ The burghers followed the example of the ancient Romans; they held up their hands, and swore by Almighty God and by his saints that they would be implicitly obedient to the commands of Erlach.

While

While the co-burghers were assembling from all parts, the Baron John of Kramburg, a late avoyer of Berne, hastened over mount Brunig to the forest cantons, the league between whom and Berne had lately expired. Being arrived in Unterwalden, he represented to an assembly of the people that the freedom and very existence of their late allies and constant friends depended on the event of a single day, in which they would have to encounter the exorbitant power of an inveterate foe. The people answered, ‘Dear Lord of Kramburg, true friends appear in the hour of need: go tell your citizens that we will prove it to them.’ Messengers were immediately dispatched across the lake; and nine hundred hardy youths armed themselves, came over the Brunig and down the valleys, marched through Berne, and encamped before the upper gate.

Erlach now summoned a council of war. He asked the leaders of the Swiss, ‘When shall the army march?’ they answered, ‘Immediately:’ he put the question, ‘How shall we fight?’ they replied, ‘To the last drop of blood.’ Among the former allies of Berne the city of Soleure was the only one which proved true to its engagement. Although menaced by an Austrian army, it nevertheless sent eighty men of well-appointed cavalry. All these forces met on the twentieth

Eve of the  
battle.

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twentieth of June. The priest Diebold Baselwind exhorted them: 'The enemy,' he said, 'trust in their numbers; but God confounds the audacious, and protects the brave who confide in him. St. Vincent and St. Ursus<sup>21</sup> have obtained heaven, because they laid down their lives in a good cause. He who dies for his country earns everlasting bliss, and those who survive succeed to fame and liberty.' The remainder of the day was spent in solemn worship, processions, vows, and the distribution of alms. At the midnight hour the signal was given for the march.

*The march.* By moonlight were arrayed nine hundred men from the forest cantons, three hundred from Hasli, three hundred from the Sibenthal,<sup>22</sup> four thousand burghers and co-burghers, and, headed by their standard, the eighty horse from Soleure: the priest Baselwind led the march, bearing the consecrated host. The aged fathers, the wives and children, gazed on the departing columns, until woods and rising grounds and

<sup>21</sup> The patrons of Berne and Soleure.

<sup>22</sup> A long narrow valley extending from Thun up to the boundaries of the Valais. The Baron of Weissenberg was here a considerable proprietor; and being a burgher of Berne, had no doubt been instrumental in procuring this body of auxiliaries for the defence of the city.

the faint glimmer of the night concealed them from their sight. They then hastened to the churches and chapels, and fell prostrate at their altars. The council remained assembled, watching every incident, attentive to every report, and ready in case of any sinister event to provide for the safety of the city.<sup>23</sup>

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About noon on the twenty-first of June the army arrived near, but not in sight of Laupen. Erlach took his station on an eminence from whence he could survey the whole force of the enemy, and where his rear was covered by a wood. Many knights, as in ancient times, sprung forth from their ranks, and dared their adversaries with taunting menaces and invectives. Nidau told the most impetuous among them, ‘fear not lest you should lose your prey; this foe be assured will not desert you.’ He had before this, at the court of Duke Albert, compared an army of Berners to a forest of thorns. Erlach had under him a considerable body of men as yet unpractised in the use of arms: he hence cautiously abstained from using any complicated evolutions. His maxim (a simple one which seldom fails, and yet is seldom practised) had ever been to establish strict order and subordination, to inspire his troops with

Hour be-  
fore the  
Battle.

<sup>23</sup> This caution was not superfluous, since an Austrian army was hourly expected from the Argau.

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ardour and confidence, and then to march straight up to the enemy, and never turn his back. He complied with the desire of the Swiss and the men of Soleure to be opposed to the enemy's cavalry, which threatened either to flank his line, or to fall upon his rear from the heights. The Berners he drew up against the infantry: he chose among these a select number of youths of the tribes of the tanners and butchers, and inflamed their minds with irresistible fury, by calling to them, 'where are you now ye gay gallants who decked with flowers and feathers, are ever the foremost in the dance? the fate of Berne is at this instant in your hands: here's Erlach; here's the banner.'—'Lead on, we follow,' was the general cry; and they closed round the banner.

The Battle. The signal being given, a body of slingers rushed upon the enemy, threw each three stones, broke the ranks, and then fell back. Heavy iron chariots were now hurled down full speed among the open files, and the men upon them fought with desperate fury; the cars being so constructed that they could not be turned in their rapid course. The unpractised troop, which had been posted in the rear, mistaking the retreat of the slingers for the beginning of a rout, fled into the wood.<sup>24</sup> Erlach prevented the

<sup>24</sup> They are said to have been two thousand in number; they were ever after called the *foresters*.

fatal impression that might have been made by this defection : ‘ we are now sure to conquer,’ he exclaimed with a serene countenance, ‘ for all the cowards have left the army.’ He instantly, while the chariots were still committing havock, fell with his chosen band, and the city banner in his hand, upon the enemy’s infantry. The Friburghers stood the brunt of this fierce attack; and among the first who fell were their avoyer and banneret, with many of their kinsmen and fellow citizens. What followed in this bloody conflict is, like the particulars of most battles which have not been described by the commanders themselves, wholly unknown. The enemy’s infantry, especially those of the Pays de Vaud, as soon as all resistance appeared ineffectual, threw down their arms, and fled in great disorder along two roads, the one above, and the other below Laupen. Towards the hour of vespers the Berners flew to the assistance of the Swiss and the men of Soleure, who had been furiously assailed by the enemy’s cavalry; and who, according to their usual practice, had remained immoveable until the slingers had wounded and staggered the horses of the enemy, and thrown their whole array into confusion : the assailants were actually retreating when the Berners came up, and spread havock throughout their disordered ranks. Here fell among the

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foremost, Count Rudolph of Nidau, and Count Gerard of Valengin. All heard with sorrow the untimely fate of John of Savoy, whom his fond parent was still expecting as the harbinger of peace. Three Counts of Gruyeres and eleven of other illustrious houses were likewise found among the dead. The slaughter among the lower ranks was as usual greatest during the flight. The Baron of Blumenberg hearing who and what numbers had perished, exclaimed, 'God forbid that I should survive such men, such friends!' and rushing among the Swiss met his wished-for doom. The whole tract of country for several miles was strewed with dead bodies of men and horses, with arms, eighty crowned helmets, and twenty-seven banners of different lords and cities.

The Even-  
ing.

The Berners after the pursuit assembled on the field of battle, fell on their knees, and thanked the God of Hosts for the aid he had granted to Erlach's skilful conduct and their valour. Erlach commended their obedience: 'Never shall I forget,' said he, 'that I owe this victory to the confidence of my fellow citizens, and to your heroic virtue, brave trusty friends and generous defenders from the forest cantons and Soleure. When our posterity shall hear the narrative of this day's exploits, they will prize above all things the mutual friendship  
' of

‘ of the valiant men who have achieved them: CHAP.  
 ‘ they will in all their wars and dangers re- VIII.  
 ‘ member whose sons they are.’

The following night the army remained on the field of battle, and at the break of day The day after the Battle. moved homeward, still preceded by Baselwind, and followed by the banners, arms, and accoutrements of the vanquished lords. Each warrior, with victory glistening in his eye, once more embraced his exulting friends and kindred; and Erlach, having resigned the command, returned to his rural cares. The Berners and Swiss agreed now on an alliance: the former paid to the latter seven hundred and fifty livres as an indemnification for the losses they had sustained in the expedition: lastly, it was ordained that this day should ever after be celebrated at Berne as a solemn festival, in order to preserve a lively remembrance of the heroism of Erlach, and of his brave followers; and to excite in future generations a patriotic ardour to emulate such glorious deeds.

So decisive a victory did not, however, deter Sequel of the War. the surviving lords from further attempts: but the Berners defeated them all. The young men of Berne became now passionately addicted to arms, and could scarcely endure the tedious tranquillity of Lent, during which it was deem-

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ed sacrilege to attempt hostilities.<sup>25</sup> After various encounters, in one of which Erlach once more headed the Berners against Friburg, the want of pecuniary means at length disarmed the lords. The Berners had no views of conquest: fame and independence were all they contended for. Territories they knew may be wrested from us, while firmness and courage are securely our own, and not in the power of fickle fortune. Whoever has these is free at all times and in all places.

Peace.  
1341.

As soon as Queen Agnes at Koenigsfelden, and even the city of Friburg demanded peace, a congress was held, at which terms of accommodation were agreed on, and a regular process was established for compromising all future differences. Rudolph and Jacob, sons of the Count of Nidau who fell at Laupen, were at this time minors; and their relations of the house of Neuchattel, well apprized of the inflexible integrity of Rudolph d' Erlach, requested to place them under his care and guardianship. Many have conquered like Erlach; but we know of none who, having vanquished and slain the father in battle, was by the kindred of the deceased entrusted with the wardship of his infants. The day of Laupen is no doubt a more splendid, but this is a far more glorious

<sup>25</sup> They called this interval their lying-in.

monument of Erlach's virtue. So far was the council of Berne from availing itself of this confidence towards obtaining advantages over Nidau, that it not only provided that the young counts should be completely invested with their patrimony, but even agreed (what had been tendered before the war) that none of the subjects of Nidau should be admitted into the burghership of its city.

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A calamity which at this time terrified most of the nations of Europe and Asia, raged with more than common severity in these Alpine regions. A plague, which succeeded tremendous earthquakes, and which Boccacio has described in his masterly style, carried off at Basle upwards of twelve thousand inhabitants, and destroyed about one third of the Helvetic nations. Whole townships became desolate; many estates were left unoccupied and unclaimed; priests were wanting for the administration of the host, and graves in the church-yards for the burial of the dead. In these disastrous times men pursued various courses to soften the horrors that surrounded them; and many sought refuge in the intoxication of sensual enjoyments.<sup>26</sup> The senators of Berne thought it

A Plague.  
1349.

<sup>26</sup> 'Affermavano il bere assai, e il godere, e l'andar cantando attorno e sollazando, ed il sodisfare d'ogni cosa all' appetito che si potesse, e di cio che avveniva ridersi e beffarsi, essere medicina certissima a tanto male.' Boccacio.

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expedient to exhilarate the minds, especially of their martial youth, by some arduous enterprise: they sent a body of them with a banner into the Sibenthal, where Wendshaz, one of their bannerets, had been lately slain in the prosecution of the war against Gruyeres.<sup>27</sup> The daughters of the villagers admired the comeliness and gaiety of the young warriors, and the banneret did not restrain their jocund mirth with over-rigid severity. One thousand sprightly youths danced in full armour, with each a blooming partner; and in their merry songs ridiculed the devotions of the penitent brethren, who at this time were wandering through the land chastizing themselves for the transgressions of the world.<sup>28</sup> In the midst of their gay frolics they heard a signal, and instantly flew up to the castle of Laubeck, near which Wendshaz had perished, took and demolished it, and thus avenged his death; they thence proceeded full speed up the valley, and by this expedition secured to Berne a decided superiority in the Sibenthal; but as to territorial acquisitions, none were as yet obtained, save the village of Hab-

<sup>27</sup> When Wendshaz saw himself surrounded, he threw the banner over the heads of the enemy and fell; the banner was brought back to Berne abundantly stained with blood.

<sup>28</sup> The Flagellants.

steten, which was purchased from its lord the Baron of Thorberg.

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Fate of Buben-  
berg,

After John of Bubenberg had repeatedly administered the office of avoyer in times of the greatest difficulty and danger, and ever with distinguished ability and honour, his enemies insinuated to the burghers, 'that arrogance was the hereditary characteristic of his family; that in his audiences he assumed the stateliness of a sovereign prince; and that he never determined a cause, or dispatched a suitor, without a bribe.' It had in fact been long the practice in his family to conduct the affairs of the city, founded by their ancestors upon the great principles of sound policy and inflexible justice; but wholly regardless of party spirit, or popular adulation. Hence it became easy, as had been often practised in the ancient republics, to procure his banishment from the city. The veteran retired with some friends, who shared in his exile, to his hereditary seat at Bubenberg. After fourteen years however, envy having spent its venom, and the people being left to their own feelings, they having compared the subsequent administrations with those of Bubenberg, demanded his recall. The council yielded reluctantly to the general voice; but crowds gathered and loudly called for the banner, in order to signalize with distinguished honours the

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the return of the venerable magistrate. A deputation brought him back in state, and amidst joyous acclamations; but being himself now full of years, his son John was invested with the office of avoyer.<sup>29</sup>

and of Erlach.

Rudolphi of Erlach, the saviour of his country, lived to an advanced age at the solitary residence of his forefathers at Reichenbach, not far from Berne, on the Aar. He never held the office of avoyer; and in the latter wars he either took no part or fought in the ranks with other knights; for he was equally apprized of the envy of the great and of the fickleness of the people. He had two sons and a daughter, the latter of whom he gave in marriage to Jobst of Rudenz, from Underwalden, a relation of the venerable Baron of Attinghausen. His hinds cultivated his lands and gardens; a female servant prepared and served up his frugal meals: here he was often alone, guarded by his dogs: his victorious sword hung against the wall in his chamber. Thus lived Erlach, when Rudenz one day came to visit him. An altercation arose concerning the marriage portion. The young knight was prodigal; and Erlach, on the other hand, was as good an economist as he had been an able commander, and at all times an upright man.

<sup>29</sup> He was exiled in 1348, and recalled in 1362.

He was now hoary, trembling and feeble : he admonished his son-in-law with earnestness ; the youth looked round, and perceiving the sword, snatched it from the wall and plunged it into the bosom of the aged hero.<sup>30</sup> The dogs pursued him howling through the woods. The fatal tidings no sooner reached Berne, than all the nobles and burghers hastened in search of the assassin ; but whether he was taken, or what death he died, is not recorded. No inscription decorates the tomb of Erlach :<sup>31</sup> his glorious deeds are his monument : it is indelible while there are men on earth who feel the glow of virtue ; and in future ages, notwithstanding the fluctuations in men's estimation of worth, and when the Swiss themselves shall have degenerated into a people widely different from their brave ancestors, Erlach will still be ranked with the brightest ornaments of Greece and Rome, a hero fearless and unblemished.

<sup>30</sup> G. E. Haller, in his historical library, has thrown some doubt upon this fact ; but he was misled by a chronicle of doubtful authority, where Erlach's death is placed in the year 1363, whereas it appears from some deeds executed by the widow of the assassin, that the latter existed no longer in the year 1361. By placing the death of the hero, as L  uffer and Muller have done, in the year 1360, the whole difficulty is done away.

<sup>31</sup> He is supposed to have been buried under the great minster at Berne. His sons lay together in a humble country church, without any inscription except their names.

## CHAP. IX.

*Four Cantons added to the Confederacy.\**CHAP.  
IX.Conspiracy  
against  
Brun.

**B**RUN had now governed Zurich near fourteen years, during which he had by his singular address and circumspection raised his power and fame to the highest pitch of pre-eminence, when he at length felt the effects of the implacable hatred he had excited in the superior orders of his fellow-citizens, whom he had stript of their rank, property and consequence; and who abhorred the policy which had induced him to transfer the offices of government from themselves and their kindred to men of the lowest condition. These seeing no period to their calamities while Brun survived, resolved to make a joint and vigorous effort to rid the world of so base an usurper; to drive the mechanics from the senatorial chairs back to their workshops, where alone they might effectually serve the public, and to restore the former constitution under which Zurich had long flourished. This act appeared to them not only expedient but highly meritorious, and perfectly consonant

\* Zurich, Glaris, Zug, and Berne.

with

with the laws which, though now suspended, they did not consider as abrogated; and according to which the very attempt to establish tribes was considered as a capital offence. They deemed moreover that every government has the same inherent right to counteract the efforts of those who meditate its downfall, which every individual justly claims to defend his life and property: they hoped in one decisive night to put an end to their opprobrious degradation; and by various inducements they prevailed on Count John of Hapsburg Rapperswyl, the Baron Beringer of Landenberg, Ulric de Bonstetten, Ulric de Mazingen, and several others, both lords and plebeians, who like themselves were equally addicted to the old constitution, and exasperated against the burgomaster, to join their party. Numbers of the many, who are ever prone to novelty and violence, likewise sided with them; and it is memorable, that among the seven hundred who engaged in this hazardous enterprize not one betrayed the cause.

The day appointed for the execution of the project was now approaching, when Ulric de Bonstetten came to Zurich with a numerous retinue on a visit, as he pretended, to a nun in the ladies' monastery who was his relation: late in the succeeding night came also, as if on urgent business, Count John of Hapsburg, and alighted

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alighted at an inn kept by one of the conspirators: many others arrived likewise under various pretences; and the man who watched at one of the gates had been bribed to admit the exiles who were soon expected from Rapperswyl. The whole party met at the inn, as if to compliment the count on his arrival; and they now congratulated each other on the prospect of a speedy restoration. In the midst however of this exultation they were unmindful that, in the prosecution of such an enterprise, no incident is so trivial but that it may defeat its purpose. A baker's boy was slumbering in the corner of the room, whom few observed, and some took for a servant of one of the party: he heard the whole project, and stealing away unobserved ran to caution his master. The baker hastened to the burgo-master, who instantly girt on his armour, and ran barefooted towards the town-house; his wife, children, and servants, raised the neighbourhood; and the baker flew to the alarm-bell. The conspirators hearing the uproar, saw that no time was to be lost, and sallied forth in search of Brun: they met him, but slew his servant who preceded him, and whom they mistook for the master. Brun reached the town-house, bolted the gate, and, loudly vociferating, called up the burghers: he charged  
those

those within hearing to break down the upper bridge, and then fly to him at the town-house. CHAP.  
4X.

All the tribes were soon assembled in full armour: the monks who were then at matins forsook their altars, seized on the weapons nearest at hand, and joined the burghers: the women threw pots, pans, and stones, out of the windows; and a general tumult prevailed throughout the city. The conspirators took possession of the market-place; but the burgo-master fell upon them with a large body of his burghers, and overpowered them. Several of the lords, and five of the old senators, fell in this conflict. Many of the insurgents now concealed themselves; and some, in order to save their lives and property, even went over to the burghers: several were trampled to death; many were sunk in a vessel, in which a greater number had crowded than it could bear; some jumped over the walls; all were dispersed; and John of Hapsburg and Ulric de Bonstetten were taken in the town ditch. Thus ended this night of slaughter and confusion.

The two captives were confined in the Wellenberg.<sup>2</sup> The bodies of the slain lay three days unburied in the streets. Thirty-seven burghers, who were suspected of having shared in the con-

<sup>2</sup> A tower built on a rock in the middle of the Limmat, where it issues out of the lake.

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spiracy, were soon after publicly executed before their houses. Neither fear nor remorse deterred the victorious burgomaster from acts of ferocious cruelty; for he well knew his absolute power over the minds of the people, and was wholly regardless of the applause of posterity. He now advanced with a strong force up the eastern borders of the lake and invested the town of New Rapperswyl; after a three days siege the inhabitants despairing of relief, stipulated for the inviolate security of their rights and property, and surrendered. Brun made some further progress towards the Marches of Schwitz, and also demolished Old Rapperswyl. After all these successes, he saw with surprise that no steps were taken for the release of the captive lords: he wished for peace: he dreaded the power of Austria, which he expected would soon exert itself in favour of John of Hapsburg. Zuric itself was indeed well fortified according to the military art of those times; but Rapperswyl was distant and exposed; and Zuric had not the vigour which Berne displayed in the defence of Laupen; nor had Brun a soul like that of Erlach. He did not however listen to the advice of those who proposed to relinquish that town, but marched up to it with additional forces; took sixty of its principal inhabitants, whom he sent to Zuric as hostages; demolished

demolished the castle, long the residence of an ancient and illustrious race, and razed its walls. All this the inhabitants bore patiently, trusting that in their defenceless state, and with the security given for their peaceful conduct, they would henceforth be suffered to remain unmolested; but Brun was faithless and inhuman. On the following Christmas, during a severe frost, he ordered all the burghers, their wives and children, the sick and decrepit, to quit their homes; and the whole town, even to the meanest hut, to be levelled to the ground. These tidings having reached Zurich, the sixty hostages regardless of their safety, and defying the inclemency of the season, hastened to meet their hapless friends, and found them half frozen at their pinfolds. Such was the atrocious act committed by Brun, because he had not the courage to defend Rapperswyl. As long as the sack of Magdeburg will stain the memory of Tilley, and the desolation of the Palatinate tarnish the glory of Lewis the Fourteenth, so long will this deed of Brun be reprobated by those who think mankind has evils enough to encounter without the addition of the ravages of war.

Forty-five years had now elapsed since the Helvetic Confederacy had dawned in the field Rutli, when Brun conceived a project, without which it would perhaps never have emerged out

Zurich admitted into the Swiss confederacy.

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of its native vallies. The danger of an approaching war with Austria induced him to send to the forest cantons for aid; and in order to secure their permanent assistance, to offer a perpetual league. The ancestors of the Swiss had long perceived that Zurich would at all times be both an important barrier on the open side of their country, and a convenient market for their commercial purposes : they therefore, without fear of impending danger, or any doubt concerning the justice of the measure, resolved to form a perpetual union with that city for the defence of the common cause. They without delay sent deputies to Zurich, who on the second day of May sealed and confirmed by oath the following compact.—‘ We, the cantons of Zurich, Lucern, Uri, Schwitz, and Unterwalden,<sup>3</sup> do hereby enter into a firm and perpetual union : we engage to assist each other with our lives and fortunes against all who shall any ways attempt to injure us in our honour, property, or freedom: this we bind ourselves to perform at all times, and in all places within the Aar,

1851.

<sup>3</sup>. Zurich is indebted for its precedency in rank solely to the forbearance of the forest cantons; Lucern had the second place, because it was likewise a city; Uri took the rank before Schwitz, because the venerable race of Attinghausen generally held the office of Landamman in its valley.

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‘ the Thur, the Rhine, and Mount St. Gothard:  
 ‘ whenever the council or community that calls  
 ‘ for aid shall declare on oath that the case is  
 ‘ urgent, each canton shall without evasion or  
 ‘ delay, and at its own cost, send the demanded  
 ‘ succour: should one of the cantons be attack-  
 ‘ ed unawares, all the Confederates shall in-  
 ‘ stantly assemble, and not lay down their arms  
 ‘ until they have obtained redress: in great  
 ‘ emergencies, such as a distant march or a long  
 ‘ campaign, the cantons shall hold a congress at  
 ‘ Einsidlen, and there deliberate on the mea-  
 ‘ sures to be pursued: the canton which shall  
 ‘ summon the Confederates to a siege shall de-  
 ‘ fray the expences of the necessary implements:  
 ‘ the succour shall be yielded within the above-  
 ‘ mentioned limits; but should any one molest  
 ‘ a confederate beyond those limits, and the  
 ‘ offender be found on this side our boundaries,  
 ‘ he shall be detained until he has made ample  
 ‘ reparation: we, the Confederate Cantons, so-  
 ‘ lemnly reserve all the rights of the Holy Ro-  
 ‘ man Empire and its sovereign, and each of us  
 ‘ his previous alliances: each canton may form  
 ‘ new alliances, but not to the prejudice of the  
 ‘ Confederacy: we will jointly defend the  
 ‘ burgomaster, the tribes, and the consti-  
 ‘ tution of Zurich: should (which Heaven  
 ‘ avert!) any dissension arise between Zurich and

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‘ the forest cantons, the city shall send two men  
 ‘ of probity and wisdom, and the cantons  
 ‘ two others, to Einsidlen, and these four shall  
 ‘ on oath decide the difference: should their  
 ‘ votes be equal, they shall choose a fifth confe-  
 ‘ derate of any canton, and he shall have the  
 ‘ casting vote: in order that this compact may  
 ‘ have general and constant notoriety, it is here-  
 ‘ by ordained that it shall be renewed every ten  
 ‘ years, or more frequently if required, and be  
 ‘ confirmed by all of the age of sixteen and up-  
 ‘ wards: parts of this covenant may be altered  
 ‘ or repealed, and additions may be made; but  
 ‘ no alterations, nor yet the omission of a re-  
 ‘ newal, shall impair its validity, we being firmly  
 ‘ resolved that this Confederacy shall be perpe-  
 ‘ tual, fixed, and inviolable.’

Such was the simple brevity these unsuspect-  
 ing people observed even in their most important  
 transactions, which in more polished nations,  
 where all manner of fraud must be premised  
 and obviated, will no doubt appear inadequate  
 and perhaps contemptible. The Swiss in par-  
 ticular were a plain, honest race, sincere and  
 artless in all their dealings, but ever great in  
 the hour of danger: many excelled them in  
 language and address, but none in the day of  
 battle. Brun, on the other hand, was eminently  
 skilled in all the arts of a party leader; vaunt-  
 ing

ing in conversation, sometimes courageous from the fear of death, vigilant from cowardice, austere to a degree of barbarity, and base even to perfidy: he was formidable, because every man is formidable who suffers no tie of honour or justice to control him: in his many blemishes, as well as few good qualities, and in several of his destinies, he was not unlike Aratus of Sicyon. The league of the Achæans, which the Grecian chief raised from obscurity, was indeed more perfect than the Helvetic, the cities who composed it having all things in common except their walls: but because its first period was coeval with the rise and spreading power of the Roman republic, its duration did not exceed one hundred and thirty-five years: whereas the Swiss Confederacy, ever assailed by formidable and inveterate adversaries, has subsisted more than three times as long, and has at length yielded to an event as unforeseen as it has proved disastrous. Zurich at this time contained upwards of twelve thousand inhabitants, some of whom were rich, and by far the greater number free: they traded into Italy, Flanders, and as far as Poland. Count John of Hapsburg and Ulric de Bonstetten were still confined in the Wellenburg, where the former composed a song on his calamity; but none of their relations made

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made offers for their release, nor were any steps taken towards a general pacification.

In the beginning of August, Duke Albert of Austria, son to King Albert, and grandson to the great Rudolph, came to his palace at Bruck. Zurich sent a deputation to compliment him and to offer presents: he thanked them and accepted the gifts. A few days after he assembled all his civil officers and vassals from the Thurgau, Argau, Sundgau, Alsace, the Black Forest, and Suabia: he stated to them how cruel and perfidious the burghers of Zurich had been towards many of his subjects, and particularly his town of Rapperswyl; and urged the necessity of an immediate and exemplary punishment. This being resolved, the duke sent for the deputies, spoke harshly to them, and insisted that Zurich should rebuild both old and new Rapperswyl, restore the Marches, and indemnify him and his people for their losses. They answered, ‘that Count John had been the aggressor: that he had come into their city in the night, and manifestly with hostile intentions: that their own security had been the sole motive of the war they had carried on; and that they (the deputies) were not authorised to comply with the terms demanded of them.’ The duke upon this armed without delay. Zurich sent to the  
Emperor

Emperor Charles the Fourth, to request his amicable interposition, but at the same time summoned the forest cantons. Charles promised his good offices towards an accommodation; and the Swiss came early in the month of September with flying banners into the city. The duke invested Zurich with sixteen thousand men.

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Duke Albert was now in the sixty-third year of his age; he was tall and of a commanding aspect; his mind naturally vigorous was improved by study and observation; he was dextrous in his conduct of public affairs, forcible in his language, moderate in the use of his power, equitable in the seat of justice, and friendly to the poor: he loved cheerful converse, a relaxation he stood in much need of, having long been subject to painful arthritic complaints, which when they prevailed induced an asperity in his temper that rendered him sullen and irascible. An arbitration between him and the Confederates was agreed on, and Zurich, to the surprise and great concern of the Swiss, sent sixteen hostages for the execution of the future award. Although the treaty now framed contained various articles highly injurious to the honour, and detrimental to the interests of the Confederates, yet the friends of the sixteen hostages had sufficient influence to obtain its confirmation. The article that appeared most disgraceful to

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to the Swiss, and injurious to their honour, was their being bound to swear annually to the observance of the contract. A people like this should never treat but on the day after a victory. When the deputies of Zurich delivered in their formal ratification, and demanded the release of their hostages, the duke upbraided them with much severity for not having as yet liberated Count John his kinsman. They heard this reproof with great surprise, the count having no where been mentioned in the treaty, although others in his predicament had been inserted. The Austrian ministers, whose object in the whole transaction was merely to gain time for preparation, and to lull the Confederates into a fatal security, insisted that in the words, 'all servants of Austria and its dependents,' the count was manifestly included. The Swiss, indignant at the artifice, resumed their arms; in these they excelled, but not in negotiation.

Duke Albert summons the people of Glaris,

The duke summoned all his retainers and allies, and among these also the people of Glaris, who, long since dependent on the abbey of Seckingen, were governed by a steward nominated by the lady abbess. The Counts of Hapsburg having acquired the advocacy of the abbey, obtained likewise the feudal tenure of this office of steward. Hence arose much uneasiness in the

the valley, the people perceiving the intention of the duke to confine the limited authority of this stewardship with his absolute power in the neighbouring Gaster: they were likewise alarmed on seeing strangers sent to govern them who resided in castles, and were surrounded by soldiers; whereas their former bailiffs were men of their own valley, dwelling unguarded in wooden huts among them. The duke moreover refused to renew the covenants of their avowed liberties, which had been accidentally burnt; and withheld the stipulated pay of a select body of their countrymen who had voluntarily gone on a distant expedition in his service.<sup>†</sup> The men of Glaris were a hardy vigorous race, armed with long halberts, and inured to every toil: they were obedient to their lawful superiors, but scorned the horrors of unlimited servitude, which if ever it prevails in this valley must soon render it a dreary desart. Hence when they felt the oppressive hand of Albert, they reflected on the example of the Swiss, preserved their firmness and independent spirit, but suffered themselves to be biassed neither by hope nor fear. Walter, a knight of the ancient house of Stadion, had now succeeded his father in the office of bailiff, and governed with stern severity.

<sup>†</sup> In the year 1330, against Colmar.

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who join  
the Swiss.

In answer to the summons of Duke Albert, this people declared, 'that as advocate of the abbey of Seckingen, he had an undoubted right to call them forth in any war that might concern their sovereign princess, the lady abbess; but that as to any war of his own, in which she bore no part, it could no ways affect them, nor could they be compelled to engage in it.' The duke upon this sent troops to Glaris, not only to awe the people into compliance, but also to harass the Swiss cantons from that quarter, and thereby prevent the succour they might send to Zurich. No sooner were the Swiss apprized of this, but their banners instantly, in the depth of winter, advanced into the valley of Glaris; and so far were the inhabitants from offering any resistance, that they carefully concealed the expedition which had been concerted with them from the bailiff, who finding himself overpowered fled hastily out of the country. Thus freed from their oppressors, the people of Glaris entered into a treaty of amity with the Swiss; the latter engaging to support them against any vindictive attempt on the part of the duke. Two hundred of them hereupon joined the confederates, and marched to the defence of Zurich.

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The winter however had not yet expired when Walter of Stadion returned with an armed

ed force, in hopes of being able to seize on Glaris by surprise. The Alps were covered with deep snow; the people were collected in the valley; each man living in his wooden hut with his wife and children, and surrounded by his cattle. On the news of the invasion they all flew to arms, met Stadion in the field Ruti near Næfels, and assailed him with the impetuosity of men determined to maintain their liberty or perish in the attempt. The conflict was severe and bloody: Stadion and many nobles fell, and his people fled hastily beyond the frontier; the conquerors demolished the castle of Næfels, and returned to their huts. Having thus singly defended their country and asserted their freedom, they, conscious of having merited this object of their wishes, sent to the Swiss to request admittance into their confederacy.

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The sole purpose of this confederacy being to vindicate their native independence, the Swiss were not only willing but solicitous to become firmly united with men so brave and free-minded as the shepherds and husbandmen of Glaris. 'The duke and the lady abbess,' it was agreed in this treaty, 'shall retain all their rights and revenues, and the country of Glaris all its liberties. We of Zurich, Uri, Schwitz, and Underwalden, will strenuously, and with all our power,

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‘ power, maintain our friends of Glaris in the secure enjoyment of those liberties : we of Glaris will be ever ready to aid our confederates in all their wars ; and at their desire will accede to any alliance they may think proper to form with other states : to obviate all future dissensions, we of Glaris do promise that if any complaint of ours shall appear frivolous or groundless to our confederates, we will waive it without reluctance or delay : should any man of Glaris arm against, or otherwise molest our confederates, singly or collectively, he shall be tried for his life by the magistrates of our own valley ; and on conviction his whole property shall be forfeited to the confederacy : in all differences that may arise, arbitrators shall be chosen by both parties, whose award shall be decisive : we of Glaris shall enter into no alliance without the concurrence of our confederates.’ Mutual confidence was the basis of this treaty ; in which the Swiss were equally remote from selfish views, as the men of Glaris from suspicious apprehensions in yielding up various points which crafty allies might easily have misconstrued to their prejudice.

Battle near  
Tatwyl.

Meanwhile large bodies of men from Basle and Strasburg, who had been stationed near Baden, made frequent inroads to the very gates

gates of Zurich. Brun with fifteen hundred burghers marched out to avenge the insult : he crossed the Limmat and advanced towards Tatwyl.<sup>5</sup> The district of Baden consists of many small valleys, watered by the Reuss and Limmat, whose banks being diversified by a rapid succession of tufted woods, verdant hills and broken rocks, afford abundance of advantageous posts. Brun's expedition was not carried on with the secrecy that might have insured success ; and he moreover was so destitute of information, that Burcard of Ellerbach, with a strong body of men and a large train of warlike implements, had actually entered Baden before he had any intelligence of their approach. The Zurichers had reached Tatwyl, when they learnt that in less than an hour they were to be attacked by the garrison of that city, which now consisted of four thousand men.

The burgomaster upon hearing this became confounded and appalled: he called his servant: Brun consults his own safety.

‘ My friend,’ said he faltering, ‘ our situation  
 ‘ I fear is extremely hazardous if not desperate.  
 ‘ I dare hardly own it; but all things considered,  
 ‘ I doubt few, perhaps none of us, will escape  
 ‘ this imminent danger : I am little concerned  
 ‘ for my own life ; I would willingly lay it

<sup>5</sup> A village not far from Baden.

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‘down with those of my dear countrymen;  
‘but then you know there will be an end of  
‘our city. Who will inspire fresh courage?  
‘who will conduct the public affairs? As to us,  
‘believe me our best expedient will be (but do  
‘not betray us) to return together to Zurich.’  
They hereupon withdrew privately to a country  
house of Brun not far from the city walls.  
Stuki the banneret and Roger Manesse, missing  
the burgomaster in the ranks, animated the  
disheartened troop by their own resolute mien  
and deportment: the latter sprung into the  
front and exclaimed: ‘Here, my friends, is the  
‘enemy, three times more numerous than we  
‘are. Our country this day looks to you for  
‘its salvation; all depends now upon your con-  
‘duct and intrepidity. But think not that we  
‘are abandoned: all Zurich is arming: our fel-  
‘low citizens are hastening to our relief; and  
‘the Swiss are near at hand. To secure the  
‘assistance of the latter, the council of war have  
‘thought it expedient to send the burgomaster,  
‘on account of his great knowledge of the coun-  
‘try, to meet and conduct them hither: and in  
‘the meanwhile they have invested me with  
‘the command. Rouse, fellow citizens! fight  
‘like men, brother soldiers! Let us save our  
‘country or perish in the struggle. *Here St.*  
‘*Felix!*<sup>16</sup> is our rallying word.’ Thus spoke

<sup>16</sup> One of the tutelary saints of Zurich.

Manesse with a calm undaunted air; the men drew up, and firmly awaited the charge.

Ellerbach attacked them on all sides, and at each side found an impenetrable front. It is reported that Manesse had placed in the ranks where he expected the attack of the enemy's cavalry, a number of mares he had lately taken, and thereby threw their horses into confusion. With his fifteen hundred men he stood the repeated shocks of four thousand assailants during three hours; when night approaching, the combatants, exhausted by toil and dangers, withdrew from the arduous conflict. At this instant was heard the shout of '*here Zurich, here St. Felix!*' Manesse repeated the welcome sounds, revived the ardour of his men, and renewed the fight. One hundred and fifty inhabitants of four villages, co-burghers of Zurich, who knew nothing of the action, had assembled, and were advancing over the hills to reinforce their feeble army: they heard the shout, comprehended its meaning, and rushed furiously upon the enemy, who soon after sunset were completely routed. Manesse by this timely exertion saved four-fifths of his men: he pursued the fugitives to the walls of Baden, passed the night on the field of battle, and at the dawn of day marched back to Zurich. He buried his dead close to the city walls, and

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and hung out at the town-house the six banners he had taken from the foe.

The Burgomaster, whom this unlooked-for victory had struck with terror, was triumphantly conducted by the burghers from his country house into the city, and there with joyful acclamations confirmed in the office of burgomaster for life. He had given out that several lords had again conspired the downfall of the tribes, and to reduce honest tradesmen to the state of abject tyranny from which they had been the means of rescuing them: that therefore they had devoted him to ruin, and had spread the report that he had fled on the day of battle. The people, whose voice is often called the voice of God, believed the delusive plea; and his power was not only preserved but even augmented. Manesse had no reward but the conscious approbation of his own heart, which no popular sentiment can either give or take away.

Early in the ensuing spring, before the duke had prepared his forces, a band of Swiss marched down the Argau and burnt the Beron-minster and seven villages. One thousand Austrians soon after came into the neck of land which separates the lakes of Zug and Lucern, and pillaged and burnt the town of Kusunacht.

While

While these were retreating loaded with spoil forty-two men of the forest cantons resolved to hazard a sudden attack, in hopes of rescuing the booty. Seventeen of them were killed at the first onset; but the remaining five-and-twenty maintained the fight, and darted such looks of confidence on their thousand foes, that these suspecting the present attack to be a mere stratagem, and that a greater force was near at hand, fled in great disorder. It was an established law among the Swiss that he who fled from battle should suffer death, and his posterity for three generations be doomed to infamy. The insult on Kusnacht was avenged by the demolition of the Austrian castle of New Hapsburg near Lucern.

While the best warriors of the forest cantons were absent on the defence of Zürich, the people of Schwitz were apprized by the landing of a detachment of Austrians from Zug near the village of Art,<sup>7</sup> within their boundaries, what dangers they had to apprehend from that quarter. The ancient town of Zug, founded by the Counts of Lenzburg, stands on a fertile spot open on many sides, and hence secured by strong walls and ample towers: the surrounding hills were occupied by many barons and nobles,

Zug received into the Confederacy.

<sup>7</sup> Near the head of the lake of Zug.

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of whom a great number had accepted the freedom of that city. To an inveterate enmity that had long subsisted between the nobles and the citizens had now succeeded an equal rivalry between the citizens and the inhabitants of the country; the latter, from a coincidence of manners, being moreover much more addicted to the Swiss than the townsmen. The Swiss, at this time at open war with Austria, resolved to secure this important frontier, which the duke thought of sufficient strength to require but a small garrison; and had accordingly placed in it only a few arquebusiers from Strasburg, who were more bent on spoiling the neighbouring country than providing for the defence of the city.

Six hundred men from Zurich, and two thousand from the forest cantons, advanced suddenly towards Zug, and were immediately joined by the neighbouring country people. The Confederates declared, ‘ that they were far from intending to deprive the duke of any privilege or property, or the town of Zug of its established constitution; but that they were resolved to ensure the safety of their country: that a free access to the town of Zug, which they would maintain with all their might, would prove equally beneficial to its burghers, and productive of security to the Confederates; and

‘ and that if the burghers refused to surrender, CHAP.  
‘ the Swiss must of necessity compel them by IX.  
‘ force of arms.’ The town, ill supplied with provisions, and no doubt distracted by internal factions, demanded, and easily obtained, a short truce. Herman, one of the principal burghers, was dispatched with all speed to the duke at Koenigsfelden to solicit immediate succour : he urged his cause with much earnestness ; but the duke glanced at him with an air of contempt, and instead of listening to his representations kept conversing with one of his falconers. Herman disconcerted at this mark of neglect did not conceal his emotion ; but the duke told him with cold indifference that he might return home undismayed, for that all this mischief would be soon redressed. The burghers of Zug on hearing this admitted the banners of the Confederates into their city, and reserving all the rights and revenues of the duke swore to the Confederacy.

Albert, instead of engaging in a war merely for the reduction of Zug and Glaris, resolved to pursue a more extensive plan : and by collecting all the forces of his hereditary dominions and allies, to crush at once the audacious city of Zurich, and thereby deprive the Confederacy of all its vigour and renown. For this purpose he imposed heavy taxes on the clergy

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and aliens in his territories; and obtained auxiliaries from the Elector of Brandenburg, the son of the Emperor Lewis of Bavaria, the Burgrave of Nuremberg, the numerous branches of the house of Neuchattel, five bishops, many counts, nobles, and cities of Suabia, Burgundy and Helvetia; and among these even, in consequence of a previous treaty, from Berne and its allies of the Oberland, Hasli, and other parts. The command of this army, consisting of thirty thousand foot and four thousand spearmen on horseback, was given to Count Everard of Wurtemberg. Three weeks after the day on which the duke slighted the exhortations of Herman, this host took the field and invested Zurich. After various alternate successes the besiegers, although the country lay open before them, experienced a scarcity of provisions, which their great numbers rendered truly alarming. The Elector of Brandenburg was the first who perceived that this unwieldy and disjointed multitude would not avail against the unanimity and perseverance of the Confederates: he therefore offered to mediate an accommodation; but the negotiation had not proceeded far when the Swiss, whose post was on a hill without the wall, saw one morning the whole country cleared of all their enemies except the Berners, who thinking such a clandestine retreat disgraceful, still

still occupied their camp. They however likewise struck their tents in the course of the day, the success of the duke against Zurich being to them a matter of much indifference.

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The elector repaired to Lucern, and was there met by the plenipotentiaries of all the contending parties; and a treaty was concluded, which stipulated as follows.—‘ All prisoners shall be released, and all spoils and hostages returned by both parties: Lucern, Schwitz, and Unterwalden, will continue to maintain the duke in the full enjoyment of all his rights and revenues in their countries: Zug and Glaris will pay him their wonted allegiance, and he will be their friend: the Confederates will henceforth make no alliance with an Austrian town or country; and Zurich and Lucern will admit no subject of Austria into their burghership: Count John shall be released; and he and the Counts Rudolph and Godfried engage to preserve peace and harmony with Zurich: all former alliances, immunities, and established regulations, shall remain inviolate.’ All the parties gave to the elector attested ratifications of this treaty. Count John, after a confinement of two years and a half, was at length released, and the sixteen hostages were set at liberty. Ulric de Bonstetten had, in consideration of his aged and venerable mother, and at the intercession

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sion of the lady abbess of Zuric, and the abbot of St. Gallen, both his relations and namesakes, been released the year before. So opulent was this family that, after having defrayed all the losses occasioned by his imprisonment, Ulric was able to lend considerable sums to the Duke of Austria. Thus ended this war occasioned by the conspiracy of the nobles against Brun, in which the duke shewed but little skill and vigour; and the Confederates, by their conduct at Ruti, Tatwyl, and Kusunacht, and by their equity in their treaties and alliances, have handed down to posterity unequivocal proofs of their valour, justice, and moderation.

Berne enters into the Confederacy.

This auspicious year was not yet closed when the deputies of Uri, Schwitz, and Underwalden, the intrepid auxiliaries at Laupen, and of their allies the cities of Zuric and Lucern, met those of Berne at a congress held at Lucern, and there, in order to prevent the Berners from being again compelled by subordinate alliances to take the field against the cantons, invited them to accede to their Confederacy. The following terms were proposed and instantly accepted. ‘The Swiss of the three forest cantons shall be assisted by Berne when and in whatever manner they shall require: and the cantons reciprocally engage to defend the city of Berne, its burghers, co-burghers, fiefs, mortgages,

‘ mortgages, and all appurtenances : the Swiss  
 ‘ when summoned shall without subsidy march  
 ‘ over mount Brunig into the vale of Unter-  
 ‘ seen : should this march not produce the de-  
 ‘ sired effect, they will advance further, and  
 ‘ Berne will pay to each man one groat Tour-  
 ‘ nois : the expences of such wars as shall affect  
 ‘ both parties, shall be borne in common ; and  
 ‘ expeditions into the Argau, whichever be the  
 ‘ summoning party, shall be defrayed by both :<sup>8</sup>  
 ‘ no subsidy shall be given, if, while either party  
 ‘ is waging war in the Oberland, the other ad-  
 ‘ vances in the low lands against an enemy.  
 ‘ We the Berners promise to assist Zurich and  
 ‘ Lucern whenever required by our Swiss con-  
 ‘ federates : we of Zurich and Lucern promise  
 ‘ that whenever Berne shall be attacked, and its  
 ‘ council shall send to the Swiss cantons for suc-  
 ‘ cour, we will at our own expence immediately  
 ‘ march to its assistance : should a difference  
 ‘ ever arise between Berne and the forest can-  
 ‘ tons, a congress shall be held at Kienholz :<sup>9</sup>  
 ‘ each party shall name two arbitrators ; and  
 ‘ should Berne be the complainant, its deputy

<sup>8</sup> The Dukes of Austria, the most powerful princes in the Argau, were then already considered as the hereditary enemies of this Confederacy.

<sup>9</sup> A castle and village near the head of the lake of Brienz, which have since been washed away by torrents.

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Another  
war with  
Austria,

‘ shall choose one out of sixteen men proposed  
‘ by the canton complained of; and these five  
‘ shall decide according to the established laws  
‘ and equity, and upon oath: should the com-  
‘ plainant be one of the three cantons, the same  
‘ shall choose a senator of Berne as the fifth ar-  
‘ bitrator. This league, reserving all previous  
‘ alliances and privileges, shall be binding to us  
‘ and our posterity for ever.’

The duke, after having mourned for the loss of his consort,<sup>10</sup> sent to Zug and Glaris and demanded that at the next homage to be paid by them they should formally renounce their leagues with the cantons. The Confederates intimated to them that in the late treaty of peace no mention whatever had been made of these leagues; and they accordingly made answer, ‘ that they were ready to swear allegiance conformably to the terms of the late pacification, and the existing laws.’ The duke rejected this oath with scorn, reprobated at a diet at Worms the insidious interposition of Zurich and the Confederates, and obtained from the princes of the empire a promise of support.

1353. The Emperor soon after being on a progress in these parts came to Zurich, and the Swiss depu-

<sup>10</sup> Joan of Pfirt: he assigned her illness as the cause of his feeble conduct at the termination of the last war.

ties resorted to his court to vindicate their conduct : they could not, it is true, exhibit many grants of privileges ; those they claimed they derived from nature and their primitive manners, and were held by prescription from time immemorial. Attempts to encroach upon them had indeed been frequent, but they had always been repelled ; nor could one instance be adduced of their having ever surrendered any of their inherent rights. All that the deputies therefore could lay before the Emperor was the authentic record of their Confederacy, which in no instance trenched upon the prerogatives of the duke. The Emperor advised them to send to the duke a formal declaration to that effect : this they complied with, but received no answer. Differences like these, the objects of which are not some individual claim or privilege, but the limits of authority on one hand, and of freedom on the other, are seldom adjusted by negotiation ; the most candid and best informed often viewing the points in debate in different lights. An appeal will ultimately be made to the sword ; and the party possessing the greatest share of dexterity and perseverance, and which knows best how to avail itself of opportunities, will seldom fail to compass its end. Albert had resolved to curb the power of the Swiss, in order gradually to reduce this whole country

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country under his absolute sway : he laid on heavier taxes than ever had been levied before, and raised an army so numerous, that his object appeared far less to have been the subjugating of the Swiss, than a grand display of the magnitude of the Austrian power.

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the Empire.  
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The Emperor, who celebrated the ensuing festival of Easter at Zurich, offered his award to both parties as head of the empire. The duke, who could lose nothing by the acceptance, for nothing was ever intended to be taken from him, willingly acquiesced; and the Confederates likewise assented, with the reservation however of their perpetual and inviolable league. This reservation, the more it was condemned by their adversaries, the more they insisted upon its being admitted as an indispensable preliminary. The Emperor, irritated by the suggestions of the princes who surrounded him, declared ‘ that the Swiss Confederacy was null and void; that members of the empire had no right to combine together without the consent of its supreme head; that he gave the Swiss two days to consider whether they would in all things comply with his proposed award.’ The deputies hereupon deliberated which would be the most pernicious evil, the wrath of the Emperor, or the dissolution of their Confederacy; and at length resolved to send, in the name of the whole

whole nation, an answer to this effect : ‘ that  
‘ they were a plain artless people, who did not  
‘ understand nice legal distinctions ; but that  
‘ they considered an oath as sacred, and that  
‘ accordingly what they had once confirmed by  
‘ oath they were determined to maintain.’ They  
tendered to the duke a fair compensation for  
all his rights and domains in their valleys, and  
agreed that the Emperor should name the equi-  
valent : but the duke, who was inflexible in his  
purpose of making himself absolute master of  
this country, and thereby of the most conve-  
nient pass into Italy, scornfully rejected the  
offer. An Austrian army now passed the river  
Glatt, occupied Old and New Rapperswyl, both  
which they rebuilt and fortified ; and from  
that central position cut off all communication  
through the pass, and greatly annoyed both the  
Swiss and the city of Zurich. Three weeks after  
this invasion came also the Emperor with all his  
princes spiritual and temporal, and having joined  
the duke encamped before Zurich. Four thou-  
sand Confederates were now besieged by five  
times that number of horse and infantry. The  
Swiss made many sallies, and meeting with men  
they knew, often parleyed with them, and dis-  
coursed on the origin and injustice of the war.  
The maxim which had been adduced, that mem-  
bers of the empire had no right to league toge-  
ther

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ther without the assent of its supreme head, offended many, and seemed to them wholly unfounded. These murmurs reached the ears of the Emperor, and it now occurred to him that it misbecame him, as head of the empire, to wage war against any of its members, contrary to the opinion of the majority of its states: he publicly declared that, as this majority seemed to approve the reservation of the league demanded by the Swiss, he had no option left but to decide accordingly. The day after this declaration the whole Imperial army struck their tents: they withdrew in such disorder that none knew who went first and who last; and the confusion was greatly increased by their ceremonious contests concerning precedence. This, like most wars of the empire, was begun with great splendour and ostentation, carried on with feeble efforts, and terminated without any apparent necessity.

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While the Austrians who continued the siege repulsed the frequent sallies of the Confederates, a body of Hungarians in the duke's army committed such depredations on the inhabitants of both parties, that the whole country exhausted and distracted loudly called for peace; and the duke saw himself compelled to admit, at a diet at Ratisbonne, that the reservation of the league claimed by the Swiss should be a preliminary of the

the future award. The Emperor upon this sent an instrument purporting to be a declaration of the Confederates, such as would tend to pacify the duke. Austrian emissaries brought it, not to a general congress of the Confederates, but to the cantons separately. Brun, the Burgo-master of Zurich, called together a few senators and signed it in the name of his city. Thence they went to Zug and Lucern: at Zug the burghers observed in the countenances of the emissaries, who thought it needless to use much circumspection with so rude a people, indications of duplicity which alarmed them; and raised a suspicion that some ambiguity was contained in the declaration which might endanger the Confederacy: they sent a caution to the Landamman of Schwitz, who immediately warned the whole country not to sign the instrument, and summoned a general congress at Zurich. The deputies being met, those from Schwitz demanded that the deed signed by Zurich should be laid before the assembly; they read in it as follows: ‘ All countries, people, towns, castles, and jurisdictions belonging to or dependant upon us (the duke) which the Confederates have during the war alienated from us, they agree to restore and wholly to relinquish;’ (this manifestly related to the league with Zug and Glaris) ‘ and should any

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An attempt  
to divide  
the Confe-  
derates:

‘ of

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‘ of the Confederates resist this restitution,  
 ‘ the city of Zurich will join with us in order to  
 ‘ compel them: all differences relating to our  
 ‘ towns or our forest cantons shall be adjusted  
 ‘ by a commissary, who shall not be a confede-  
 ‘ rate, and who shall be named by Austria and  
 ‘ Zurich: we promise to defend Zurich against  
 ‘ any attempt that may be made to molest the  
 ‘ city in consequence of this agreement: all pre-  
 ‘ vious alliances, immunities, and privileges are  
 ‘ reserved; but no engagement whatever with  
 ‘ the Confederates shall exempt Zurich from  
 ‘ the observance of this compact.’ All the de-  
 puties upon hearing this rose and solemnly de-  
 clared, ‘ that if this ambiguous clause had any  
 ‘ indirect reference to their leagues with Zug  
 ‘ and Glaris, they had been basely deceived, and  
 ‘ that they were determined not to accede to  
 ‘ it.’ They moreover asked what the duke meant  
 when he called them *his* forest cantons? ‘ Has  
 ‘ any emperor or prince,’ they added, ‘ ever  
 ‘ conquered us? are we slaves? or have not  
 ‘ our ancestors of their own accord accepted  
 ‘ the protection, but never the sovereignty of  
 ‘ the empire? We are free, and know of no  
 ‘ laws but those of our own making: we are  
 ‘ willing to trust our friends of Zurich; but  
 ‘ wherefore the invidious distinction made be-  
 ‘ tween them and us? why shall a stranger  
 ‘ named

‘ named by Austria and Zurich, determine ” re-  
 ‘ specting the concerns of our valleys.’ They  
 spoke with firmness and indignation. Brun  
 answered, ‘ that he had no blame in the execu-  
 ‘ tion of the declaration : that when the Au-  
 ‘ strian emissaries came, they pretended to be so  
 ‘ much in haste that he could not detain them ;  
 ‘ and that therefore, with his wonted simplicity,  
 ‘ he had subscribed the instrument ; that, how-  
 ‘ ever, there was no cause for despondency ;  
 ‘ that some expedient might still be found to  
 ‘ preserve the blessings of peace ; and that an  
 ‘ appeal stating the unfairness of the proceeding  
 ‘ might be sent to the Emperor : that indeed  
 ‘ the city could not revoke what had been for-  
 ‘ mally confirmed in its name ; but that this  
 ‘ transaction should prove no ways detrimental  
 ‘ to their union ; and that their friendly in-  
 ‘ tercourse should thereby suffer no manner of  
 ‘ abatement or interruption.’ The confederates  
 upon this resolved to send a remonstrance to  
 the Emperor, who was then in Moravia ; and  
 waited impatiently till the next month of July  
 for an answer. Zurich in the meanwhile enter-  
 ed into a defensive alliance with Albert, the  
 terms of which were of far greater importance  
 than was consistent with the stipulations of the  
 perpetual league.

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The

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Schwitz.

The Emperor at length sent a rescript ordaining, ‘that the Swiss should on no account consider Zug and Glaris as their allies; and that their disregard of this injunction would expose them to his displeasure and resentment.’ The confederates on hearing this menace met at Lucern; Zurich in this momentous crisis remained neutral. The men of Schwitz stood up and declared, ‘that as to themselves they positively rejected the clause as signed by Zurich; and that the consequences of this refusal they cheerfully committed to God and their right arm.’ Lucern, Uri, and Underwalden, endeavoured to soften their firm resolve; but at length it was agreed by all that the declaration should not be accepted until the words *his forest cantons* were expunged, and their leagues with Zug and Glaris formally acknowledged. An Austrian commissary came soon after to demand the homage of Zug and Glaris. These people answered, ‘that until either the duke had confirmed their leagues with the Swiss Confederates, or these confederates had declared them void, they knew not in what manner to swear allegiance.’ This demur, however, would soon have yielded to the menaces that were thrown out by the Austrians, had not the Schwitzers seasonably interfered. Being apprized of these proceedings, they declared, ‘that

‘ that no one in fact could penetrate the intentions of the duke ; but that all knew that the leagues with Zug and Glaris had been solemnly confirmed by oath, and ought to be maintained : that these leagues therefore they were firmly resolved to vindicate, either jointly with their confederates, or by themselves.’ They summoned Lucern, Uri, and Unterwalden ; but these proved tardy. Caution before, and celerity after a resolve, constitute true policy. The Schwitzers marched without delay under the banner of their forefathers, and entered Glaris and Zug. Reciprocal engagements of perpetual union and mutual defence were here renewed and confirmed by oaths: the duke’s commissary perceiving that neither force nor cunning could prevail, discontinued his efforts ; and the Schwitzers having thus achieved their purpose, returned into their valley fearless and contented.

Several neighbouring lords and cities, weary of incessant alarms, and among these the Baron of Thorberg, one of the principal administrators of the Austrian dominions in Helvetia, soon after this mediated an armistice.<sup>11</sup> Allbert’s temper as well as constitution were now rapidly

Truce of  
Thorberg,  
1358.

<sup>11</sup> For eleven years ; and to continue in force after that term, till one month after either of the parties shall have declared it void.

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yielding to his cruel disorder : he refused to give audience to the deputies whom Zurich some time after sent to his court ; and his son Rudolph gave strict orders that the name of the Swiss should never be mentioned in his presence. Pain and peevishness had now rendered his life loathsome to himself and burthensome to others. At length he expired at Vienna in the seventieth year of his age, and the fiftieth after the assassination of his father : his confidential counsellors were immediately dismissed.

Brun's  
death.

Rudolph Brun likewise lived to see the downfall of his fame and consequence. After having compassed the important object of a league with the confederate cantons, he sanctioned the odious declaration which directly militated with the spirit and tendency of that very Confederacy ; and swayed by selfish motives he entered into a secret engagement with the duke, ' to serve him and his delegates during life, and to use his best endeavours to promote his interest in every emergency : to be ever true and subservient to him ; not indeed against the Emperor, the city of Zurich, or the confederates ; yet with a reservation not to be deterred by the Confederacy from complying with the award the Emperor might issue respecting the privileges claimed by the cantons.' This compact they mutually agreed to keep a profound secret.

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secret. Brun made these disgraceful concessions in return for an annual stipend of one hundred florins, the sum of one thousand florins to be paid him out of certain revenues at Glaris, a place in the privy council of the duke, and a promise of his protection against all adversaries. This is the last instance upon record of his sordidness and perfidy.<sup>12</sup> His address, and the good fortune that attended him in the administration of his city, might have raised him to some eminence among the more distinguished characters in history, had he not from mean ambition preferred temporary and precarious popularity to the more lasting fame and conscious satisfaction derived from genuine virtue and true patriotism. Since the day of Tatwyl the popularity, to which he had sacrificed his honour gradually declined; and yet to this man must be ultimately ascribed the fortunate events by which freedom became firmly

<sup>12</sup> He is said by some to have died on the 18th of September 1360: but he became so obscure in his latter days, that the date of his death appears not to have been accurately recorded. Leu, art. Brun, places it so late as the 1st of October 1375, and says that he resigned his office in 1361. If he really lived to the most recent of these dates, he actually survived the ignominious banishment of his whole family, not only from Zurich, but also from the territories of the whole Confederacy. See the next Chapter. p. 395.

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rooted in the Swiss cantons, and Helvetic valour spread its fame throughout the neighbouring countries; and by means of which the solemn league of the eight ancient cantons obtained its solid footing, which gradually led to the more extensive fabric of the general Confederacy, the source of abundant comforts which have blessed a long series of happy and grateful generations.

That the character of a great man so seldom coincides with that of a good man, and that the most important events are most frequently derived from unforeseen, and often trivial causes, are no doubt evincing proofs that the scales of our destinies are held by a power whose decrees far exceed our narrow comprehension: and yet men of energy must not suffer these perplexing considerations to enervate their vigour. Let them reflect that the powers of men are instruments in the hands of the Supreme Being, which they are bound to exert, although they be applied in ways incomprehensible to their limited capacities; and that after all, the consciousness of an Erlach or a Manesse is a far greater recompence than the most splendid triumphs of a man like Brun.

## CHAP. X.

*Wars with the Nobles.*

THE Helvetic Confederacy having now ac-  
quired not only a name, but also a decided  
preponderancy among its neighbouring states ;  
and it being sufficiently obvious that the ten-  
dency of its spirit was to wrest the supreme au-  
thority out of the hands of the great lords and  
princes, whom long habits of uncontrouled do-  
minion had taught to abuse it, and to transfer  
it to the people, whose independent ardour was  
still tempered with moderation ; it may well  
be imagined that there would be a period when,  
the powers of the two rival parties being nearly  
equipoised, the struggles between them would  
be equally obstinate and desperate. This period  
appears to have been the present, when all the  
Helvetic and most of the Germanic sovereigns  
and nobles drew out their most select and unit-  
ed forces against the spreading evil, but saw  
their

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their purposes ultimately defeated. Such was the test requisite to prove the stability of this till of late invulnerable Confederacy.

The accessions made to the Helvetic body at large, and to some of the cantons in particular, and the many transfers of property that took place about this time, which cannot but have roused the apprehension and urged the resentment of the nobles, call for a short survey of the state of Helvetia during the truce of Thorberg.

State of the  
Confederacy.

The people of the three forest cantons, Schwitz, Uri, and Unterwalden, whose confederacy bears date from the most remote period of their existence, and was framed long before they knew how to commit it to writing; this tribe, the true ancient Swiss, who met at Rutli, fought at Morgarten, and diffused their independent spirit together with their league over many adjacent towns and districts; were the only people who had formed equal ties with all the confederates. There was no immediate compact between Berne, Zurich, and Lucern; none between Berne, Glaris, and Zug; and Glaris and Lucern were wholly unconnected. The three forest cantons were then, and have ever since been, the link that united this Confederacy, the sole object and fundamental principle

ciple of which was independence: this independence once secured, they were wise enough to perceive that, provided each state was allowed to frame its own laws and superintend its own concerns, it mattered little by what mode of government it secured its peace and prosperity: and hence the variety of constitutions that has at all times diversified the Helvetic body; its provident leaders having ever considered, that innovations which may be avoided are generally productive of greater evils than even moderate imperfections.

The shepherds of Gersau, who in summer fed their cattle on mount Riggi, and met on Sundays at a church they had erected on an alluvion on the lake of the forest cantons at the foot of that mountain, and who in winter resided with their cattle in about forty wooden huts they erected round that church, had been originally subjects of the abbey of Muri, and since of the Counts of Hapsburg as advocates of that abbey. One of these counts, urged by pecuniary necessities, transferred them, either by sale or mortgage, to the noble family of Moos in Uri. Weggis, another small township of the same description, had in like manner been alienated by Hapsburg to the Lords of Hartenstein at Lucern. These and other yet smaller

Accession of  
Gersau, &c.  
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smaller communities on the lake,<sup>1</sup> roused by the spirit of independence that surrounded them, and resolved to share in the blessings it confers, formed as close a compact with the four forest cantons as their condition would then admit : but that no feudal claims might clash with this alliance, they agreed to hoard with the utmost thriftiness all they could spare out of the produce of their cattle, and to tender it for their absolute emancipation. The men of Gersau went to their lords with the produce of ten years rigorous economy, and readily obtained their franchise.<sup>2</sup> This sovereign state, perhaps the least that ever existed,<sup>3</sup> has ever since been a constituent part of the Helvetic body; and its interests have been at all times as anxiously consulted as those of the largest canton : such chances had the feeble in this Confederacy of meeting with justice and protection,

<sup>1</sup> Hergiswyl and Alpnach, having purchased their independence, were incorporated into the cantons of Underwalden; Weggis became a district of Lucern. Several considerable families in Uri also about this time redeemed their independence from the abbey of Wettingen.

<sup>2</sup> This purchase does not appear to have been completed till the year 1390.

<sup>3</sup> It consisted of less than five hundred males : it was governed by a landamman and nine senators or jurors in a perfect democratic form; no doubt a good one for a state of these dimensions.

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The three sons of Rudolph Brun, Bruno provost of the minster, Hertegen, and Everard a senator, still maintained an influence not over the people, but over the magistrates of Zurich, who perhaps had not yet forgotten to whom they owed their elevation. An act of violence the family of Brun committed upon the avoyer of Lucern, and which the senate wanted either the means or inclination to chastise, irritated the burghers, who held a meeting, caused the injury to be redressed, and abridged the senate of some of its powers. The Provost Bruno however opposed the decree of the burghers, and gave occasion to another meeting, to which were summoned the deputies of the forest cantons and Zug, and where a formal agreement was entered into which, as it chiefly related to points of ecclesiastical discipline and prerogatives, obtained the name of the Priest's Ordinance.<sup>4</sup> It stipulated, 'that the people would strenuously maintain their laws against all foreign power, whether public or private, civil or ecclesiastical: that all nobles and plebeians, priests and laymen, dependent on the house of Austria, should, so long as they resided within the cantons, engage by an oath more binding than any other oath, to promote the honour and welfare of the Confederacy: that all ap-

Priest's Or-  
dinance.  
(1370.)

<sup>4</sup> Pfaffenbrief.

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‘peals to foreign tribunals be strictly prohibited: that the clergy abstain from pronouncing in their own concerns, even in canonical matters, if they had any reference to temporalities: that every priest who shall transgress this ordinance be debarred all the comforts of society, and declared out of the protection of the laws: that all the roads and avenues from the foaming bridge<sup>s</sup> to the city of Zurich be kept perfectly open and secure for travellers of all descriptions: and that no one not duly authorized by his magistrates dare to distrain or otherwise invade the property of another.’ This ordinance, the charter or declaration of the Helvetic liberty against the undue influence of the clergy, was moreover in its very brevity and simplicity the code which restrained all public and private injuries, and regulated the internal economy of the state. Its object was, that every individual be perfectly secure in his person and property as long as he obeyed the laws; and that by the facility of communication means be afforded him to increase his profits by industry and commerce.

Brun's family disgraced.

The Provost Bruno, who had given too many proofs of his untoward disposition to admit a

<sup>s</sup> *Staubende brücke*; a name sufficiently descriptive of the Devil's bridge on mount St. Gothard.

hope of his yielding to any salutary regulation, was with all his abettors banished from Zurich for ever. His mother and his brother Everard were convicted soon after of having been accessory to the murder of a near relation who was coming from Uri in pursuit of a claim. The magistrates of Zurich were still remiss, but not so the people of Uri. These held a general assembly, and decreed that Everard Brun, his mother, and all their accomplices and associates, should be for ever banished from the territories of the Confederacy. This sentence was executed; and thus ended the short-lived and inglorious celebrity of the name of Brun.

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1373.

The people of the Oberland, in the full enjoyment of perfect security, felt likewise a progressive increase of prosperity which soon enabled them to profit by the necessities of their lords, and to purchase various franchises in many cases bordering upon absolute independence. Those of Brienz and of Oberhasli bore with more than ordinary reluctance the supremacy of the Lord of Rinkenberg, whom they taxed with having annexed to his private demesnes what he ought to have held as imperial dependencies. Philip the present lord had moreover some personal enemies in Underwalden who fomented the spirit of dissatisfaction, and openly favoured an application made by his people to that

Feud of  
Rinken-  
berg.

CHAP. that canton for support against his authority.

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~ The wisest among the men of Underwalden insisted that as the Lord of Rinkenberg was a burgher of Berne, his subjects ought to lay their complaint before that city; and that at any rate they themselves ought by no means to interfere in the domestic disputes of neighbouring states; but the young and audacious prevailed, and the insurgents were encouraged in their contumacy.

(1353.)

Berne meanwhile, which always aided the lords when they were co-burghers, and the people when their lords were at variance with the city,<sup>6</sup> sent to dissuade the Underwalders from proceeding in this affair. After much obstinate and fruitless altercation, and even various acts of violence, in one of which Rinkenberg was surprized on a fishing party and brought prisoner into Underwalden, a congress of the whole Confederacy met, which condemned the conduct of the canton, and ordered the immediate release of the captive lord, and an adequate indemnification for the damages he

1381.

<sup>6</sup> It is possible that Berne may in all its contests have meant to espouse the cause of justice; but it is very unlikely that justice and the interests of the city should at all times have coincided so invariably as they are reported to have done. Interest and prejudices may warp the judgment of a senate as well as of an historian.

had sustained. The misguided people having recovered from their delirium, further decreed the exclusion of three of their most pernicious demagogues, and of their whole posterity for ever from all offices in the canton. Such was the termination of this feud, which might have endangered the very existence of the Confederacy; and which was not so trivial but that it evinces what vital strength, towards its own preservation, this body politic had already acquired at this early period.

Zuric, under Roger Manesse, successor to Zuric. Brun, preserved the spirit and energy that becomes free cities. The Emperor Charles the Fourth confirmed by charter to the burghers the sovereignty of the lake as far as Rapperswyl, and granted various privileges to them as well as to the minster. The city likewise purchased some imperial fiefs in their vicinity,<sup>7</sup> as well as various tolls and mortgages; they strengthened themselves by the reception of powerful co-burghers:<sup>8</sup> the constitution received additional freedom and vigour by certain limitations prescribed to the power of the bur-

<sup>7</sup> Trichtenhausen, Zollikon, and Stadelhöfen, 1358; Kusnacht and Goldbach, 1383.

<sup>8</sup> Two Lombards (del' Montes) paid one thousand florins for admission into the burghership of Zuric.

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gomaster,<sup>9</sup> and some increase of authority vested in the tribunes. Sumptuary laws which extended not only to articles of apparel, but also to the festivals, public ceremonies, and the morals of the people, were enforced perhaps with more severity than wisdom; since it is much easier to govern a cheerful people, than one that is rendered sullen by frequent restraints upon the gratifications of fancy.

Basle.  
(1356.)

A catastrophe befel the city of Basle, which, without the means of restoration it owed to its free government, would probably have obliterated its name from the face of the earth. On the eighteenth of October, at ten at night, the whole city, the largest and fairest of Helvetia, most of its churches and convents, the palaces of the nobles, its strong walls and massy towers, were on a sudden thrown down by a tremendous earthquake, which was succeeded by a spreading conflagration that raged for many days among the scattered ruins. Upwards of three hundred inhabitants perished in these ruins: eighty-four castles in the bishopricks of Basle and Constance were likewise demolished by the same concussion. One of the counsellors of Duke Albert intimated to his sovereign, ‘ that Nature had now opened a free passage for him into the city of Basle;’ but the

<sup>9</sup> His casting votes were taken from him.

duke exclaimed indignantly, ' God forbid that  
 ' I should strike those whom the hand of the  
 ' Almighty afflicts;' and sent four hundred men  
 from the Black Forest to assist in clearing away  
 the rubbish. Some of the burghers recom-  
 mended building the new city on another site;  
 but the greater number resolved to continue  
 with cheerful confidence on the spot where,  
 until this calamity, their ancestors had dwelt and  
 prospered during a long series of thriving gene-  
 rations. After a few years they not only re-  
 stored the walls and principal edifices, but the  
 city had already recovered such affluence as to  
 enable it to assist the duke with an ample loan  
 of warlike implements.<sup>10</sup>

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The Emperor Charles the Fourth, who was Berne.  
 ever disposed to confer imperial privileges when  
 he could thereby promote his private interest  
 or aggrandize his family, came twice to Berne<sup>11</sup>  
 with a large retinue, and was splendidly enter-  
 tained by the avoyer<sup>12</sup> and senate. In return he  
 granted to the city the right of redemption of  
 all the mortgage revenues of the empire within  
 six miles of its walls, castles and manors except-

(1365.)

<sup>10</sup> A deed of Archduke Leopold, of the year 1571, ac-  
 knowledges a debt for this loan.

<sup>11</sup> In his way to, and on his return from, the Papal court  
 of Avignon.

<sup>12</sup> John de Bubenbergh the younger.

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ed; the criminal jurisdiction within three miles, and the unlimited right of repelling force by force without any appeal to his aulic courts.

Count Peter of Neuchattel mortgaged about this time to Berne his share in the lordship of Arberg, the remainder of which the city soon after acquired from the other proprietors of the houses of Nidau and Kyburg. For the government of these districts the bannerets were authorized to propose such of the senators or burghers as appeared to them best qualified for the stations: and hence the origin of the bailiwicks, which consisting of districts purchased by the contributions of the burghers, they considered as their absolute dependencies; and whose administrators, as long as their choice depended upon favour, have at times incurred a censure which was not always unmerited; few things on earth being perhaps more rare than men who may be trusted with power. None of these new acquisitions were however deprived of any of their previous rights or immunities: freedom still prevailed in all of them; for that country will ever be free whose rulers have no hired soldiery, but can only use the arms of the people. Berne also purchased twelve villages in its vicinity;<sup>13</sup> and continued to spread

<sup>13</sup> Four from the Lord of Brandis in 1352, and eight from the convent of Frienisberg in 1380.

its influence by the accession of powerful co-burgers: it strengthened its ties with Friburg, and entered into so close an alliance with Soleure, that even the empire was only ostensibly reserved. But John of Vienne, Bishop of Basle, did not behold with indifference the renewal of the league between Berne and his town of Bienne, which from being decennial was now rendered perpetual.

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(1351.)

Bienne, mount Tessenberg, and other neighbouring districts, had long since been transferred to the see of Basle, by prelates of the house of Neuchattel; but all their military concerns had been either reserved to their kinsmen the Counts of Nidau, or committed to the bannerets of the towns of Bienne and Neuville. Some jurisdiction had also been vested in the stewards of Nidau; and considerable rights and immunities had moreover been ceded to the people, whose spirit, like that of the burghers of all the other cities, was now rising to a pitch of energy the strictest laws could scarce control. Bienne was allied with Berne, Friburg and Morat; and so connected with the counts of Nidau and Granson, that the influence of these lords, though perhaps not accurately defined, was yet equally manifest and effective.

War of  
Bienne.

Such was the state of this district<sup>14</sup> when John

<sup>14</sup> The Nugerol

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Bishop of Basle came to Bienne, and insisted on the repeal of the alliance of that city with Berne. Against this the burghers solemnly protested, and alleged their avowed privileges, and a fifteen years silent acquiescence on the part of the former bishop: but the irritated prelate, equally unacquainted with the complicated constitution of this town, and with the power of Berne, proceeded to acts of open violence; and in defiance of long established immunities, seized on several of the principal burghers, and confined them in the castle. Bienne upon this summoned Berne: Berne sent to the confederates; and their combined power approached without delay. The bishop, indignant at the unlooked-for resistance, sent all his forces to reduce the refractory burghers. The town was sacked and burnt; and the confederates arriving soon after, took and razed the castle, and freed the prisoners; they advanced thence into the Erguel, and were joined by some auxiliaries from Soleure. The bishop made a stand at the pass through a rock formed by nature and widened by the Helvetii, when Aventicum and Augusta Rauracorum were still flourishing;<sup>15</sup> but here he was worsted and fled: he attempted a diversion towards the Aar, but was stopped at Olten both by an inundation and the arms of Count Rudolph of Ni-

<sup>15</sup> Pierre-pertuise.

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dau, who saw the ruin this extravagant war threatened to bring upon his country. At length after much havock and devastation, all the neighbouring lords and cities intervened, and arbitrators met at Balstal, who effected an accommodation. The city of Berne, because it had violated the laws of war by demolishing churches, was enjoined to pay an indemnification of thirty thousand florins. The whole revenue of the city at this time did not exceed two thousand livres.<sup>16</sup> It is hence scarcely conceivable how such a state submitted to such an award. Murmurs and even public censure were not wanting among the burghers; and the constitution perhaps owed its preservation to an intermediate state, which tempered the violence of the opposite parties. The great council proceeded to some acts of rigour; banished one of the Diesbachs, and several burghers of note; but paid to the bishop scarce the tenth part of the stipulated fine, alleging that the dissatisfaction of the people did not permit them to disburse a larger sum. The prelate, on the other

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<sup>16</sup> Berne currency. The value of this livre at present is about 16½*d*. The progressive variations in the coinage and currency of Switzerland is too complicated a subject to be attempted in this history: those who may be inclined to unravel the chaos, will find much useful information in the unfortunate Waser's *Treatise on Money*.

CHAP. hand, saw himself by this rash war reduced to  
X. the necessity of alienating the best part of the  
domains of his bishoprick.

St. Gallen. The town which gathered round the abbey, of St. Gallen, as well as that of Appenzel, both owing their existence to that abbey, rose now to such a degree of prosperity and spirit of independence, as rendered them impatient of controul, and obstinately bent upon the maintenance of what they deemed their ancient and natural rights. The misfortunes of the Abbot William de Montford, and the feeble administration of Hildebold de Werdstein his successor, favoured this disposition, and gradually loosened the ties of love and veneration, the best props of ecclesiastical authority. The next abbot, however, Hermen de Bonstetten, soon recovered a personal ascendancy by his mildness and integrity: by his courage and conduct he likewise obtained the friendship and confidence of the Emperors Lewis the Fifth, and Charles the Fourth; and by his equity, disinterestedness, and public spirit, he moreover gained the general reputation of a wise and magnanimous prelate. He granted several privileges to both the towns; and having greatly promoted their welfare, he died, and was consigned to his grave amid the undissembled tears of his people, the most eloquent panegyric of a departed prince.

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In all future contests between this people and the abbots, the former only stipulated that their condition might be such as it was in the days of Bonstetten. The burgomaster, bailiff, council, and people of St. Gallen, agreed with the Abbot George de Wildenstein, that he should continue to name the counsellors, and appoint the bailiff; that all causes relating to property and feudal concerns should be tried in his court; and that in all matters of taxation or personal services the administration of Bonstetten should ever be considered as a precedent. The small country of Appenzel<sup>17</sup> entered soon after into a league, which thirty-two imperial cities, and the Princes of Bavaria, the Palatinate, and Baden, had newly established against unlawful oppression: and a difference that arose some time after between the people and the Abbot Cuno de Stauffen was amicably adjusted by this league. Thirteen jurors continued to assess the capitation, and otherwise to direct the municipal affairs of these four petty communities.

No traces are extant either of the freedom of Rhætia, the people of Rhætia, their power or degree of subjection in these remote and obscure times. The Bishops of Coire appear to have had no

<sup>17</sup> Consisting of the communities of Appenzel, Hundwyl, Tuffen, and Urnæsh.

CHAP. small difficulty in maintaining a superiority  
 X. which they probably owed chiefly to the sanctity of their character. Bishop Ulric of Lenzburg, a man of exalted virtue and dignity, and his successors Peter and John procured several valuable acquisitions to the see both by gift and purchase; but the Counts of Werdenberg, the Barons of Razuns, the Lords of Belmonte and Remus, occur incessantly as powerful chiefs who laid claim to the most ample share of authority and independence.

The Pays  
 de Vaud.

All that Savoy possessed in the Pays de Vaud devolved, after the death of Count Lewis, the father of John who met his early fate at Laupen, to his daughter Catherine, whose third husband was William Count of Namur. It being in those turbulent times scarce possible for the same sovereign to govern such distant provinces as those now possessed by William, he readily consented to alienate the Pays de Vaud to Amadeus of Savoy, surnamed the Green Count; who moreover soon after, under the auspices of the French king, whom he, with several of the nobility of that province,<sup>18</sup> had served in his wars against the English, obtained other parts of the same country which had by another heiress of the house of Savoy<sup>19</sup> been

<sup>18</sup> The Lords of Nidau, Blonay, Goumoens, &c.

<sup>19</sup> Beatrice, the daughter of the renowned Count Peter, the contemporary of King Rudolph of Hapsburg.

transferred

transferred to the Dauphiness of Vienne, as also the paramount supremacy over the Counts of Geneva. Lastly, to the Emperor's wonted liberty he was likewise beholden for the Imperial Vicariat in Upper Burgundy, together with various important privileges and immunities, from which his power soon derived an almost unlimited superiority. The Green Count might well upon this accompany the Emperor to the abbey of St. Maurice, and present him with the head of King Sigismund of Burgundy, who, eight centuries before, had by his indiscretion brought ruin upon his kingdom, and final destruction upon himself.

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(1355.)

Two reasons contributed essentially to the prosperity of the Pays de Vaud, even in the disordered times of the middle ages: the weighty influence of the states, which restrained every undue attempt of the prince; and the reputation of the nobility at different courts, with which they were connected by manifold combinations of feudal tenures and various other ties. William de la Baume, a meritorious knight, was equally the friend of the count his sovereign and of his country: William de Granson, eminent as a warrior from the Rhone to the Euxine, was on his domains a just and provident economist, at the courts of monarchs an accomplished nobleman and able counsellor, and at Berne a highly

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a highly respected co-burgher; Thomas his grandson and his posterity have since been honourably distinguished in England: the Montfaucons, and many other names equally illustrious, claim the gratitude of the people and the approbation of posterity. Such was the Pays de Vaud under the Green Count. In its manners and civil institutions it still breathed the spirit which the Burgundians and Franks had long since diffused in it; for notwithstanding the frequent changes of the reigning dynasties,<sup>20</sup> the political relation between the rulers and the people suffered far less variation than might have been expected. All Europe was free as long as the princes, for want of a military force at their sole disposal, could take no important step without the concurrence of their lords spiritual and temporal and a selection of the commons.

Neuchattel. The Counts of Neuchattel had by various inheritances obtained scattered dominions which extended along the lake of their name, and that of Bienne down the Aar, and up the Sil as far

<sup>20</sup> I. The Kings of the Franks, to 879 or 887: II. The second kingdom of Burgundy, to 1032: III. The Emperors of the Salic line, the Dukes of Suabia, the Counts of Upper Burgundy, to 1127: IV. The Dukes of Zaringen, to 1218: V. The delegates of the Emperor Frederick the Second: VI. The house of Sayoy.

as the forest cantons: but their government was greatly obstructed by a multiplicity of feudal restrictions, which prevailed in almost every district; and the lustre of that house was still more obscured by the circumstance, that the best part of its possessions were held under the Burgundian and not the Salic law of inheritance; by which means the alienations by heiresses became so frequent that the male line was often left almost destitute of territories. This happened more particularly on the demise of Lewis, the last count of the principal line, when Isabella his eldest daughter transferred the right to his rich inheritance to Rudolph Count of Nidau, one of the wards of the great Erlach. The male line centered now solely in John of Valengin, whose son Peter sold Arberg to Berne.

1373.

Duke Albert of Austria, the grandson of the great Rudolph, left four sons, of whom only Rudolph the eldest was of age on his demise. This youthful prince, of a graceful figure and engaging manners, had been educated by Ulric Count of Shaumburg, a man of a fervid imagination, who refining upon the religion of his days, considered men as a temporary emanation of the godhead,<sup>21</sup> to which after the end of its earthly thralldom it reverts and remains for ever

The House  
of Austria.

<sup>21</sup> The *Αὐτὸν* in the language of the Gnostics.

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united. In the contemplation however of the sublime dignity of human nature, it seems to have escaped him that so exalted a being as man ought to be just and honourable : he used his influence for the purpose of extortion, and loaded his vassals with heavy services towards the building of his towns Efferding and Pewrbach. His pupil gave early proofs of the proficiency he had made under such a master. Margaret Maultash, the heiress of the county of Tyrol, who was equally deformed in body and in mind, had taken offence at a near relation, to whom after the death of an only son she proposed to make over her dominions. Rudolph apprized of this hastened in the depth of winter, over snowy precipices and almost impracticable paths, to her residence at Inspruck : he found means to persuade her that she was handsome and amiable, and that there was nothing on earth he preferred to her delightful converse : he thus gained upon her affections, and obtained from her, and under her sanction from the states of the Tyrol, a formal grant of that important province for himself and his heirs for ever.

Rudolph assumed the title of Palatine Archduke of Austria. So little was he awed by the clergy, that he publicly declared he would be Pope in his own country. In one of his progresses

gresses into Helvetia he purchased from the Count of Hapsburg Lauffenburg the town of Old Rapperswyl, and employed able artists to throw a long bridge across the lake, under pretence indeed of facilitating the pilgrimages to Einsidlen, but in fact to become master of the waters on the great communication between Germany and Italy. He died suddenly at Milan, either of a fever or from the effects of poison. Queen Agnes of Hungary, the stern avenger of her father's death, had died not long before at Kœnigsfelden, in the eighty-fourth year of her age. When she had received the extreme unction, she declared to her attendants 'that every stain had now been wiped away from the mirror of her soul:' she abounded in worldly wisdom; and notwithstanding the reproof of the hermit who declined visiting her abbey, she preserved through life the fame of most exemplary piety.

Frederick the eldest brother of Archduke Rudolph died also at an early period: Albert and Leopold, the younger brothers, survived; the former of a mild studious disposition, the latter impetuous and martial. They agreed to share their dominions; and the Argau, Kyburg, Alsace, and all the Suabian territories fell to the lot of Leopold: the Tyrol they agreed to hold

in

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in common.<sup>22</sup> The sons of Albert had at different times also purchased the Seigneuries of Burgdorf, Thun, and Oltingen; and had availed themselves of the distresses of John of Vienne, Bishop of Basle, to obtain from him the mortgage of the town of Little Basle, opposite to the city of that name, which to them was an important station, as it connected their dominions on both sides of the Rhine. In the year when the archduke died, the burghers of Zurich being called upon to renew the truce of Thorberg, alleged that Austria had infringed upon their rights, by the tolls laid on at the bridge at Rapperswyl, by lowering the value of their coins, and other acts inimical to the interests of their city: they did not openly decline, but they endeavoured to evade the renewal of a truce, which in truth was the act of the treachery of Brun, and not an error of the city.

Recapitulation.

The cities of Basle, Shaffhausen, Soleure, Lausanne, Sion, and St. Gallen, were at this time making rapid strides towards absolute freedom. The country of Appenzel acknowledged scarce any dependence. The religious awe that maintained the authority of the Bishops of Coire, Sion, Lausanne, Geneva and Basle,

<sup>22</sup> In a subsequent division Albert retained only Vienna and Austria.

and

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and the Abbot of St. Gallen was yielding less to the rapacity and misconduct of the Roman pontiffs than to the frequent schisms that distracted the hierarchy. The great lords in their necessities often encroached upon the wealthy abbeys; and even the peasantry, stimulated by the example of their superiors, and the prospect of impunity, shewed themselves refractory to the services exacted from them under the plea of vassalage. The church was now assailed both by infidelity, which was making rapid progress in Italy, and a mystical devotion, which found its way into some convents, but prevailed chiefly among pious laymen. The power of many ancient lords<sup>23</sup> meanwhile felt the impression of the rapid aggrandizement of the houses of Austria and Savoy.

Several of the martial bands of various nations, who under Edward the Black Prince had gained the battle of Poitiers, being now, during a pacification betwixt England and France, destitute of employment and maintenance, wandered through the dominions of different sovereigns in quest of adventures and sustenance, headed by Arnold de Cervola, a nobleman of Perigord, surnamed the Arch-priest of Verney. Pope Innocent the Sixth trembled at their approach, and proclaimed a crusade in hopes of

Expeditions of  
Cervola;  
1365.<sup>23</sup> Neuchattel, Mentford, &c.

directing

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directing this dangerous host against the Os-  
mans. They spread from Treves along the  
Rhine into Alsace, and amidst horrid depreda-  
tions reached the walls of Basle, scarce yet re-  
built after the late catastrophe. The Basilians,  
though not allied with the Confederates, sent  
notwithstanding to solicit their aid. In a few  
days came fifteen hundred men from Berne and  
Soleure, who demanded the post of danger; and  
soon after arrived also three thousand chosen  
warriors from the forest cantons, Zuric, Zug,  
and Glaris. Cervola hearing of these reinforce-  
ments, and aware what men he would have to  
contend with if he ventured an attack on Basle,  
gave up the attempt, and drew off his forces to-  
wards Metz.<sup>24</sup>

and Coucy.  
1375.

But a storm yet more formidable threatened  
soon after from the same quarter. Ingelram de  
Coucy, Count of Soissons and Earl of Bedford,<sup>25</sup>  
came with a powerful host to the Rhine to  
claim the marriage portion of his mother Ca-  
tharine, daughter of Duke Leopold of Austria,

<sup>24</sup> He died in Provence in 1366.

<sup>25</sup> One of the first nobles of Normandy: he had been  
sent into England as a hostage for King John, where his  
eminent qualities soon ingratiated him at the court of Ed-  
ward the Third, who conferred on him the title of Soissons  
and Bedford, and gave him his eldest daughter Isabella in  
marriage.

who was defeated at Morgarten, which had been assigned her upon various districts and castles in the Argau and Alsace, and which the Austrian princes were unwilling to forego. Coucy's fame in England drew round his standard great numbers of the English warriors, who in the old age of King Edward, and the declining health of his heroic son, were now without opportunities of exerting the martial spirit of which they had given so many splendid proofs in their late successful wars. Although joined by many from Flanders and Upper Burgundy, they were however called the English bands; the pre-eminence being given not only to numbers, but also to the renown already acquired in arms. Coucy, in the prime of life, full of ardour and resentment, at the head of fifteen hundred helmets, and of an army which often amounted to forty thousand men, seemed irresistible. Jevan ap Eynion ap Grifflith, a descendant of the British chiefs, who nine centuries before had withdrawn over Snowdon from the treachery of the Saxons, Jevan ap Velcaib another Cambrian, de Frant, and other warriors of eminent renown, commanded under him. The English, upwards of six thousand in number, shone in bright armour, gilt helmets, and high crowned hats of iron :<sup>26</sup> they were well mounted, richly clad,

<sup>26</sup> The Germans called them *Guggle hats*, whence the whole army obtained the name of *Gugglers*.

CHAP. and splendidly equipped: they committed no  
X. ravages, took nothing from the peasants except bread and wine, gave safe-conduct to all who applied for it, enforced strict discipline among their inferior attendants, and except to fathers and husbands who had to lament the effects of their gallantry, they gave no just cause of complaint to the people who felt their power.

Duke Leopold terrified at this unexpected inroad laid waste the country around him, shut himself up at Brisach, and sent to the Confederates for assistance. These held a diet, in which the men of Schwitz declared that they saw no reason for exposing themselves in the cause of the duke, who had never shewn them any kindness, against a distant leader who had never done them an injury: that they trusted they would be able to repel the attack of either party should it offer to molest them. The deputies of Zurich and Berne, on the other hand, maintained that as the war, which would probably reach the Argau, would necessarily endanger their open frontiers, they ought in order to secure those frontiers to afford assistance to the duke. The truce of Thorberg was upon this renewed; and Berne in particular armed with great speed and alacrity. Such divided councils were contrary to the spirit of the Confederacy, of which unanimity was the soul and essence; and

and the defence of the whole ought ever to have been considered as the indispensable duty of every component part. CHAP.  
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Coucy reached the walls of Basle; the banner of Zurich advanced to the village of Sur in the Argau, and a strong body of Berners joined Peter de Thorberg, governor of the duke's hereditary dominions in these parts, at Hetzogenbuchs; but the numbers and prowess of the invaders, who had now reached the Aar, having struck terror into all the inhabitants of the open country, the troops also declined the contest and returned to their respective homes. Even the duke, despairing of personal safety, fled from the dangerous conflict. Coucy marched by Soleure and occupied many of the ample villages on the Aar, between Buren and Olten. Rudolph Count of Nidau, the ward of Erlach, met him at Buren and offered resistance; but having raised his helmet he received a shot, which at once terminated his life and his illustrious race.<sup>27</sup> Coucy removed his head quarters

<sup>27</sup> His widow, the heiress of Neuchâtel, retained the lordship of Erlach as her dower. His hereditary dominions were partly conveyed by his two sisters to their husbands Hartman of Kyburg, and Simon de Thierstein; and partly devolved to John Count of Hapsburg Laufenburg, son of the count who had composed a song in the Wellenberg at Zurich, and had married the widow of the Count of Nidau who fell at Laupen.

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to the abbey of St. Urban: his men, hard pressed for sustenance, were now reduced to the necessity of committing depredations. Helvetia was then, as it will ever be, unable to maintain a foreign army. They demolished many castles, and ravaged the open country from the lake of Neuchattel to the gates of Zurich and the inlets of the forest cantons. A famine ensued, and such was the general desolation that towns, not of the least order, were not secure against the attacks of ravenous wolves.

Among the mountains that decline from the higher Alps towards the Argau, are two contiguous districts, the Russwyl and the Entlibuch; the inhabitants of which, a tall, robust, sprightly and courageous race, were once subjects of the Baron of Wollhausen, who afterwards alienated them to the house of Austria, from whom Peter de Thorberg had lately obtained Entlibuch as a mortgage. The shepherds of this latter district which borders on Underwalden, one of the most remarkable among the Helvetian tribes for primitive simplicity, vigour and industry, were the only part of the duke's subjects who made an effectual stand against the inroads of these assailants. Their undaunted firmness called forth many adventurers from the forest cantons; and at Lucern, the gates of which were shut, many jumped over the walls, and hastened to the collecting

lecting band. Three thousand of the invaders had advanced far into the valley of Russwyl, spreading desolation round them, when they were met by six hundred of the shepherds, who being well acquainted with all the advantageous posts of the country soon routed them, not however without a severe conflict and a heavy loss on their part. They rode back triumphant to their huts on English steeds, and clad in the bright armour of their slaughtered foes.<sup>28</sup> A baron who from his lofty castle saw the march, exclaimed, ‘Alas! that peasants should now wear the arms of such illustrious warriors.’ A shepherd answered, ‘It is because we have this day mingled the blood of illustrious warriors with that of horses.’

The Berners, aware that the increasing famine would soon compel the hostile bands to approach their city, at length took vigorous steps to secure themselves. The nature of the country, the length and darkness of the nights, the inclemency of the season, all seconded their measures. On the evening of Christmas day they fell upon a party commanded by Frant and put them to the rout. Two days after ap Griffith, who lay with three thousand men in the convent of

<sup>28</sup> This engagement took place near a wood called the Buttisholz. A mound called the English Barrow is to this day a memorial of the event.

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## X.

Fraubrunnen, between Berne and Soleure, was roused out of his sleep two hours before day-break, and a bloody conflict took place in the cloisters. The chief and Velcaib by his side fought with desperate fury. The convent took fire, and the din of arms was heard through the thick smoke and raging flames, until the conflagration, confounding friends and foes, put a stop to the combat. Eight hundred English fell, and Jevan retired. The Berners, who had paid dear for this advantage, returned home loaded with spoils and three captured banners, gaily chanting their war song.<sup>29</sup>

1376.

Coucy, now equally urged by hunger and cold, and seeing his formidable opponents gathering on all sides around him, gave up the contest and withdrew into the milder plains of Alsace: his troops, exasperated by ill success, became rapacious and unruly. Ingelram was brave, skilful in state affairs, and magnanimous far beyond what could be expected from human frailty;<sup>30</sup> but a general who carries war into this country, if the people unanimously resist him, and especially in the imperfect state of the tactics of those times, must be endowed with

<sup>29</sup> This song is to be found in Tschudi.

<sup>30</sup> He refused the high office of Constable of France, because he thought Oliver de Clisson more worthy of it than himself.

talents and a fund of local knowledge which fall to the share of few, and which Coucy did not possess. With forces more numerous than those which Alexander led into Asia, all Coucy obtained was the two Seigneuries of Buren and Nidau, which the duke, having purchased them from the house of Kyburg, made over to him in full satisfaction for his claim on account of his mother's portion.

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Rudolph the son of Hartman of Kyburg, who had married one of the co-heiresses of Nidau, ambitious, like many of his predecessors, to emulate the splendour of the ducal court, involved himself in such difficulties, that he was at length compelled to alienate all his property and privileges in the town of Thun to the city of Berne. He endeavoured to retrieve his affairs by engaging in foreign wars; but he returned from Lombardy with abundance of fame, and in still more embarrassed circumstances. Impatient of the incessant wants that depressed his spirit, he resolved to relieve himself by one bold act, to seize on the city of Soleure, with which he was at variance on account of some mutual claims to certain villages, and likewise to recover Arberg and cancel the mortgage of Thun, and thus reunite them to his hereditary dominions. It is thought that Duke Leopold was no stranger to this daring enterprize, of which, should it prove

An attempt  
upon So-  
leure  
1382.

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prove successful, the Count trusted the fame would obliterate the infamy. Diebold of the house of Neuchattel in the Franche Comté had promised to co-operate ; and one of the canons of the chapter of Ursus, whose dwelling was contiguous to the city wall, offered his treacherous aid. The priest agreed to admit the party in the night, and had collected a large supply of cords to secure the magistrates and all who might offer resistance. The night of the tenth of November was pitched upon for the attempt. One of the conspirators found means to muffle the alarm bell, and the most profound secrecy was observed by all who were privy to the design. At midnight however an unknown voice called loudly to the centry at one of the gates, announcing the approach of a troop of nobles. The report was not credited until the avoyer ordered the alarm bell to be tolled and found it silent. A general outcry now raised the city: the burghers armed and hastened to the walls. Count Rudolph perceiving that all he could reap from this luckless enterprize was the disgrace of a perfidious act, burnt and pillaged all the neighbouring houses and gardens, caused all he met with to be hung upon trees, but desisted from the attempt, as well as from his purpose concerning Thun and Arberg. The perfidious canon was degraded by his ordinary and drawn and quartered.

tered. The chapter having been detected in a secret correspondence with the duke respecting this plot was mulcted. Hans Rott, the peasant who had given the first alarm to the centry, was ordered to be supplied annually with a coat of the city colours; and the like gift was decreed for ever to the oldest of his posterity. The event was commemorated by an inscription over the great portal of the church of St. Ursus. Rudolph, oppressed by shame and penury, abandoned by the Duke of Austria, and menaced by Soleure and the whole Confederacy, who had now been applied to for succour, gradually drooped and died.

The Berners, who remembered the signal services Soleure had rendered them at Laupen, were ready at the summons, and ventured an attack upon the town of Burgdorf, the chief residence of the Counts of Kyburg. They laid six weeks before its walls, during which the garrison, contrary to the conditions of a short armistice, received reinforcements from the Count of Montford and the Duke of Austria. The besiegers upon this being in want of all necessary implements relinquished the enterprize. Berthold the great uncle, and the two brethren of the deceased Count of Kyburg, finding no remedy for the distracted state of their affairs but a speedy peace, sent urgent solicitations to demand

CHAP. X. mand it from the confederates; and Otho de Bubenberg, no less intent to acquire for Berne the important town of Burgdorf, gave all possible countenance to the proposal, on condition that the purchase of that place be one of the preliminary articles. The negotiation (a most difficult one, since the Counts of Kyburg scarce knew how to forego their ancient hereditary seat) was at length brought to a happy conclusion. The magistrates of Burgdorf opened their gates to the burghers of Berne, and the counts evacuated the castle. They likewise ceded Thun and some other territories to Berne; which in return agreed to defray all the expences of the war, and to indemnify Soleure for the damages it had therein sustained. The Counts of Kyburg hereupon became burghers of Berne.

1354.

View of the times.

The Austrian delegates and mortgagees, who had now become very numerous,<sup>31</sup> forgetful of the fate of Landenberg and Gesler, once more gave a free scope to their resentment against the shepherds and burghers of the Confederacy; and relying for impunity on the interest of their friends at court, gratified their cupidity and arrogance by all manner of violence and oppression. Notwithstanding the artifices of the courtiers in withholding the loud complaints of the

<sup>31</sup> The dukes of Austria were wont to reward services by affording opportunities for extortion.

people from the sovereign, he was often heard to declare that such proceedings would infallibly bring on the ruin of his government. Wenceslaus held the sceptre of the German empire with a feeble hand. The different ranks of society were in perpetual strife. Besides the rooted enmity between the lords and the plebeians, the citizens and the country people also frequently harboured mutual jealousies; and tradesmen and mechanics assumed the bold and independent spirit of the shepherds of the Alps, who justly prided themselves in having been foremost in the defence of their liberty. In times so full of discord various associations were formed among the nobles, one of which, under the name of the Lyon, extended as far as the Netherlands; and others, which assumed the appellations of St. William and St. George, prevailed in Suabia and many of the interior parts of the empire. These in the sequel formed a general combination for mutual defence, of which Duke Leopold and Everard Count of Wurtemberg thought it expedient to become members. Basle was the first city that joined,<sup>32</sup> and many Suabian and Franconian towns followed the example. These several members being influenced by different motives, and often swayed by opposite

<sup>32</sup> It entered into the association of the Lyon.

CHAP. interests, the union proved ostensible indeed,

X.  
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but far from cordial. The nobles, from a similarity of habits and inclination, were firmly addicted to the duke; whilst the cities, in acceding to the coalition, were rather induced by their apprehensions of danger than by motives of genuine friendship. Meanwhile fifty-one free imperial towns on the Rhine, in Suabia, and Franconia<sup>33</sup> proposed a league of the same nature as the Helvetic Confederacy. Schwitz, in the name of the forest cantons, declined the overture, alleging that their fundamental maxim was to defend themselves when attacked, but never to interfere in the concerns of others. Zurich, Berne, Solcure, and Zug freely accepted a defensive league, and ratified it at Constance.<sup>34</sup> The Lucerners, restrained by the forest cantons, did not openly accede, but declared that they would at all times comply with the summons of Zurich.

Before the formal confirmation of this league of the cities, Duke Leopold, who was at that time treating for the purchase of the lordship of Lauffenburg from the branch of his family which not long before had sold the Marches of

<sup>33</sup> The principal of these were Mentz, Strasburg, Worms, Frankfort, Ratisbon, Nuremberg, Augsburg, Constance, Lindau, and once more Basle.

<sup>34</sup> June 11, 1385.

Schwitz and Rapperswyl to his father and brother, came to Zurich and gave audience to the deputies of Schwitz, who remonstrated against certain tolls that had been newly laid on at the bridge of Rapperswyl; and to others from Lucern, who loudly complained of the exactions of the revenue officers at Rotenburg. The duke, ever studious to sow dissensions among the Confederates, and resenting even the qualified acquiescence of Lucern in the league of the cities, repealed the tolls on the bridge, but gave no redress to the Lucerners. Having thus pacified the Swiss, and having reason to conclude from the reception he had met with at Zurich that the burghers were not unfriendly to him, he soon devised some heavy charges against the allied cities in the empire. These cities immediately summoned the Helvetic Confederates; but the truce of Thorberg not being yet expired, and autumn being near at hand, the Confederates desired a respite till after the harvest; and so averse were they from entering into this contest, that at a diet held towards the end of the year they positively declined all interference.<sup>35</sup> The duke hereupon found means to dissolve the league of the cities, and being thus freed from a formidable opposition, he became less

<sup>35</sup> We find no satisfactory vindication of this breach of faith, no less impolitic than derogatory.

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mild and compliant even towards the Swiss confederates, whose forbearance his house had more than once experienced; and his delegates, observing this return of austerity, were not behind hand in displaying all their wonted pride and rapacity. The Confederates, on seeing the change operated by the advantages lately obtained by the duke, became suspicious and disaffected, and perceived that their only security now centered in their swords.

Ostensible  
causes of  
the war  
with the  
Nobles.  
1385.

On one of these days of general discontent a report was suddenly spread at the annual fair of Martinmas at Rapperswyl, that a body of Zurichers were advancing up the Lake with an intention to surprise that town and demolish its castle, and that in this attempt they were to be assisted by a detachment from Glaris. The fair, in fact, attracted numbers of people from all parts of the country, but that any on this occasion came with hostile intentions is nowhere positively affirmed. The bailiff of Rapperswyl, doubtful whether to credit or disbelieve the intimation, sent to a neighbouring district for a reinforcement. All the visitors at the fair from Zurich and Glaris, either irritated at the slanderous report, or seeing the attempt frustrated, withdrew. The Swiss exclaimed loudly against the opprobrious calumny; whilst Austria, with no less semblance of indignation, taxed

taxed them with a perfidious breach of the unexpired armistice.

Seven days after this incident a number of valiant youths from Lucern, regardless of the dissuasive remonstrances of their magistrates, who were solicitous to preserve peace, fell suddenly upon the Austrian delegate and his people, who were celebrating a wake before the gates of Rotenburg, dispersed them, filled the ditch of the castle with the new raised walls, and returned to their city guiltless of either plunder or bloodshed. They had long threatened this summary justice, the imposts laid on at Rotenburg being in fact contrary to the existing treaties. The delegate dispatched letters and messengers to the duke, and Lucern cautioned the Confederates.

Lucern, at the same time reserving all the prerogatives of the house of Austria, received the shepherds of Entlibuch into its burghership. Peter de Thorberg, to whom Austria had mortgaged that district, raised the taxes to a degree the people could no longer endure: he frequently compelled extra levies, under pretence of public services which were never performed. On a day of public worship he kept the people confined in a church till they had consented to add one hundred livres to their annual contribution. Those who shewed themselves reluc-

tant

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tant he imprisoned, put many to the torture, and some to death. When the people sent to Lucern to demand protection against such wanton oppression, he caused the advisers of the measure to be publicly executed, and being apprized of the compliance of the burghers, made inroads to the very gates of the city.

Thus began the war between the nobles under the auspices of Duke Leopold, and the Confederates both of the municipal and predial cantons ; the true motive of which was the irreconcilable hatred of the former, who reprobated the spirit of independence the latter were incessantly diffusing all around them. Lucern thought itself called upon not only to repel, but also to take vengeance for the insults inflicted by Thorberg on their co-burghers ; and knowing how warmly the neighbouring lords would espouse his cause, they saw the necessity of preventing the effects of their enmity, by seizing and demolishing their castles. Zuric, Zug, and the three forest contons, being fully apprized of the inducements to this conduct, resolved without deliberation to arm in defence of Lucern ; and accordingly on the third day of the ensuing year the banners of Schwitz, Uri, and Unterwalden appeared in the city, proceeded thence with the burghers against the castles of Wollhausen and Kapfenberg, reduced them, and committed

mitted them to the flames; hence they advanced to Baldeck, and having taken and destroyed that and several other castles, they met parties from the Austrian towns of Sempach, Mayenberg, and Reichensee, which, either from predilection for the Confederates, or the dread of their approaching arms, joined the forces of the cantons.

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Leopold upon this, having reduced the Imperial cities of Alsace, came into the Argau, denouncing vengeance against the Swiss cantons, the original movers of this insult, and all their audacious Confederates. The inveterate malevolence of the nobles now broke out so suddenly, that in twelve days the Confederates saw themselves assailed by one hundred and sixty-seven lords spiritual and temporal, most of whom were eager to avenge the affronts they or their fathers had experienced at Morgarten, Laupen, Tatwyl, or other less celebrated though to them equally disastrous encounters; all exulting in the firm persuasion of their irresistible force, but deeming the conquest rather too easy for the glory they were ambitious to acquire. The declarations of hostilities from different lords were sent to the Confederates by twenty successive messengers, in hopes that repeated alarms would gradually depress their spirits, or perhaps ultimately sink them into absolute despair.

The

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The Swiss had nothing to rely on but their courage and their Confederacy. After having bravely fought for Berne at Laupen and at Burgdorf, they summoned that city with the confidence of an irresistible claim to mutual aid. The Berners remonstrated that some months were yet wanting before the expiration of the eleven years truce they had concluded with Leopold; that the duke's dominions in their vicinity were in a state of perfect tranquillity; that the late war had exhausted their funds; and that they therefore requested to be exempted from the necessity of engaging in this war. The Swiss received this answer in mournful silence. The cautious circumspection of the Berners may be commended, but their not having shared in the glory of the day of Sempach will ever be a stain in their otherwise splendid annals.

After a short armistice the war commenced, and soon raged with unrelenting fury. Many strong castles fell in a few weeks: many acts of treachery were committed on both sides. The burghers of Mayenberg betrayed the Swiss garrison, allured two hundred men of Zug and Lucern out of the town, and exposed them to the attack of thirteen hundred Austrians, who destroyed most of them. The survivors, enraged at the base perfidy, set fire to the town and

and deserted it. Reichensec, true to its engage-  
 ments to the Confederates, was taken by a su-  
 perior force and burnt, and all who escaped the  
 flames, men, women and infants, were inhu-  
 manly butchered. Glaris, though by the terms  
 of its league with the forest cantons, and on  
 account of its dependance on the Abbess of  
 Seckingen and the duke her advocate, might  
 have declined to interfere in the wars of the  
 Confederates, especially against Austria; yet  
 deeming that at this critical moment, when the  
 Swiss were assailed by a multitude of powerful  
 and inveterate foes, it ill became them to remain  
 unconcerned spectators; they after mature deli-  
 beration declared to the duke that the cause of  
 the Confederates involved their own, and that  
 they could not desert it. Sixteen hundred men  
 of the forest cantons, Zug and Glaris, joined  
 under their respective banners and marched to  
 Zurich. This city expecting, as had been the  
 case on former occasions, to be exposed to the  
 first and most vigorous attack, made every pos-  
 sible preparation for an obstinate defence.

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The army of Leopold collected near Baden, Prepara-  
tions.  
 the place from whence his uncle had seventy-  
 one years before led another army to Mor-  
 garten. Having learnt what forces had assem-  
 bled for the defence of Zurich, he proposed the  
 following plan to a council of war, by whom it

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was adopted: ‘A strong body of Austrians, under the command of John de Bonstetten, shall encamp at Bruck in the Argau to awe the city of Zuric, and being itself secured by the Reuss and Aar, shall spread an alarm over all the Confederate countries: the duke, the lords, knights and their retainers, shall advance up the country towards the Alps: after Sem-pach shall have been chastized for its treacherous defection, and Rotenburg, which had been basely snatched from the duke, shall be recovered, the army shall instantly proceed to Lucern, the bulwark of the forest cantons, and reduce it before any part of the garrison of Zuric shall dare to leave that city exposed to Bonstetten, and come to its relief.’ The Confederates, on hearing of the motions of the duke, concluded from the knowledge they had of his prowess and temper, that the greatest effort would be made by the troops he commanded in person; and that no advantage of less magnitude than an absolute defeat would decide the fortune of the war. They therefore determined, that the burghers of Zuric, knowing that Bonstetten had no implements for a siege, should (though ever on their guard against a sudden attack) allow the Confederate auxiliaries to march out of their city: that these should cross the Reuss, and advance through Upper Argau

‘ Argau towards Sempach: that Zug should cautiously guard its frontiers against Bonstetten, should he attempt to approach them; and that all the remaining forces that could be collected should march straight towards the duke: a small body, indeed, against a formidable host; but a body of men roused to the highest pitch of valour by their reliance on the justice of their cause, and the protection of the Almighty, so often manifested in their behalf.’

The auxiliaries accordingly marched out of Zurich, and advancing with speed were joined by many from Zug, Entlibuch, and all the villages through which they passed. On the same day that these troops arrived in the Argau, came also a body of Berners to a castle near Willisau, not many miles from Sempach, under pretence of demanding redress for some wrongs they alleged to have sustained from the Dowager Countess of Valengin, but more probably to observe the progress of the war; and should the duke prevail and be at liberty to attack Lucern, to harass his rear and impede his operations. The duke advanced from Baden up the Argau, and passing by Sursee reached the walls of Sempach. This small town, about nine miles from Lucern, lays at the head of a lake nearly six miles in length, the country round it rising into meadows, thence into corn fields, and lastly into extensive

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Sempach.

woods which crowned the hills. The Confederates occupied these woods.

Early on the ninth of July they reconnoitred the enemy's army: they saw a numerous well-appointed host, each band led on by an illustrious baron, an avoyer, or one of the duke's substitutes, whose pride and avarice had occasioned this war. A large body of cavalry, consisting entirely of nobles, who were emulous to achieve the reduction of the Swiss peasants without the aid of the infantry, bore the most formidable aspect. Among all the chiefs none was more conspicuous than Duke Leopold, at that time five and thirty years of age; manly, high minded, full of martial ardour, elate with former victories, revengeful, and eager for the combat. It was harvest time; his people reaped the corn: the nobles approached the walls of Sempach, and upbraided the citizens: one of them held up a halter and said, 'this is for your avoyer:' others demanded that breakfast should be sent out to the reapers; these were answered, 'the Swiss are bringing it.' The duke seeing the Confederates on the eminences, forgot or perhaps never knew that cavalry attack with far greater advantage on an ascent than a declivity: he unadvisedly ordered the nobles, whom their heavy armour rendered very unfit for the evolutions of infantry, to dismount, and sent their horses

horses to a distance in the rear : he formed them in such close array that the long spears of the rear ranks reached the front of the line, and formed a thorny fence that was deemed impenetrable. John Lord of Ochsenstein commanded this formidable phalanx. The vanguard, consisting of fourteen hundred foot, headed by Frederick Count of Zollern, was sent into the rear.<sup>36</sup> If the duke actually meant to wait for an attack, he erroneously adopted the plan that becomes a commander who opposes a small to a superior force. To this he may have been induced by the romantic gallantry of his nobles, who scorned advantages gained by stratagem or a manifest superiority of numbers, and deemed that a victory thus gained would leave the palm of valour undecided; and the bright qualities of Leopold fitted him much more for high feats of chivalry than for the command of an army.

John Baron de Hasenberg, an experienced veteran, having surveyed the whole array, intimated to the nobles that presumptuous hardness often proves fatal, and earnestly recommended that the Baron de Bonstetten might be sent for without delay; but they reprobated his caution : and thus also, when the duke was ad-

<sup>36</sup> This appears to have been part of the infantry whom the nobles would not allow to share in the glory of the day.

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 monished that in all engagements unforeseen accidents do happen; that the province of a chief is to conduct the army, and of the army to defend its chief; and that the loss of a commander is often more ruinous than that of half his force, he at first answered with a smile of indifference; but being urged with still greater solicitude he replied with warmth, ‘ shall Leopold look on from afar and see how his brave knights combat and die for him? Here in my country, and with my people, will I either conquer or perish.’

The Confederates drew up on the eminence under cover of the wood. As long as the knights were mounted they thought it scarce possible to stand the brunt of their attack in the plain and open country, and deemed it safer to abide their approach in their present position. No sooner however did they see the nobles dismount than suspecting a stratagem which they might not be able to guard against in the wood, they advanced towards the plain. Their contracted line consisted of four hundred men from Lucern, nine hundred from the other forest cantons, and about one hundred from Glaris, Zug, Gersau, Entlibuch and Rotenburg. Each band under its proper banner was commanded by the landamman of its valley, and the Lucerners by their avoyer: they were armed with short weapons;

weapons; some held the halberts their fathers had wielded at Morgarten; several instead of shields had small boards tied round their left arms. According to ancient custom they knelt and implored a blessing from on high. The nobles closed their helmets; the duke created knights; the sun stood high; the day was sultry.

The Swiss after their devotion ran full speed and with loud clamour across the plain, seeking an opening where they might break the line and spread havock on each side of them; but they were opposed by a solid range of shields as by a wall, and by the numberless points of spears as by a thick fence of iron thorns. The men of Lucern, more exasperated than the rest at the unexpected impediments, made many fierce attempts to break into the line, but all of them ineffectual. The knights moving with hideous rattle attempted to bend their line into a crescent, meaning to out-flank and surround the assailants. The banner of Lucern was now for a time in imminent danger, the avoyer having been severely wounded, and several of the principal leaders slain. Anthony du Port, a Milanese who had settled in the valley of Uri, cried out, 'Strike the poles of the spears, they are hollow:' this was effected; but the broken spears were immediately replaced by fresh ones, and

CHAP. and du Port himself perished in the conflict.

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~~~~~ The knights, partly owing to their unskilfulness, and more so to the unwieldiness of their armour, found it impracticable to form the intended crescent; but they stood firm and unshaken. The Confederates, who had now lost sixty men, became apprehensive of a movement of the vanguard from the rear, and did not think themselves altogether secure against a surprize from Bonstetten.

This anxious suspense was at length decided by one heroic deed. Arnold Struthan de Winkelried, a knight of Underwalden, burst suddenly from the ranks: ‘I will open a passage,’ he cried, ‘into the enemy’s line. Provide for my wife and children, dear countrymen and confederates; honour my race!’ He threw himself instantly on the enemy’s pikes, grasped as many of them as he could reach, buried them in his bosom, and being of a tall corpulent stature, bore them to the ground with his own ponderous mass: his companions instantly rushed over his expiring body, and a close column forced itself into the broken ranks of the enemy, who were thrown into still greater confusion by their endeavours to close the interval. The pressure this occasioned, added to the intensity of the heat, proved fatal to many knights who fell without a wound. Fresh columns of  
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the assailants availed themselves of this disorder, and the havock became general. The servants of the nobles who had been left with the horses perceiving from afar the consternation which prevailed, mounted and consulted their own safety by flight. The banner of Austria sunk to the ground, together with Henry de Esheloh its bearer. Ulric of Arburg raised it anew, and endeavoured to restore the fight; but he also was soon oppressed, and fell exclaiming, 'Help, Austria, help!' Duke Leopold ran to him, received the banner now steeped in gore from his dying hand, and once more waved it on high. The conflict at this moment became most fierce and obstinate. Numbers of combatants pressed round the duke; many of his illustrious companions fell near him: at length all hope being at an end, he exclaimed, 'I too will fall with honour.' He sprung forth from among his friends, rushed into the thickest of the enemy and sought his doom: he fell, and while weighed down by his ponderous armour he was struggling in vain to raise himself, he was approached by a common man from Schwitz who levelled a blow at him. Leopold called out, 'I am the Duke of Austria;' but the man either heard him not, believed him not, or thought that in a day of battle the highest rank conferred no privilege: the duke received  
a mortal

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a mortal wound.<sup>37</sup> Martin Malterer, the banneret of Friburg in Brisgau, saw the disaster: he stood appalled: the banner dropped from his hand: he threw himself upon the corpse of his slaughtered sovereign to preserve it from insult, and there met his own fate.

The Austrian infantry now, looking round in vain for their duke, betook themselves to flight. The nobles called loudly for their horses; but the dust they saw rising at a distance marked the road by which their faithless servants had long since led them away. Oppressed by their heavy armour, by heat, thirst and fatigue, they still resolved to avenge their sovereign; and if they could not preserve their lives, at least not to fall easy victims to the resistless fury of their triumphant foes.

Among the leaders of the Confederates fell Conrad Landamman of Uri, Sigrist Landamman of Underwalden above the forest, and Peterman de Gundoldingen the Avoyer of Lucern. While the latter was bleeding to death one of his townsmen approached him to learn his dying requests: he, unmindful of all private concerns, answered, ‘Tell our fellow-citizens never to continue an avoyer longer than one year in-

<sup>37</sup> We must have better authority than that of Faber, to believe that the man who killed the duke was actually tried and executed at Berne for that deed.

‘office; tell them this is the last advice of Gundoldingen, who dies contented, wishing them repeated victories, and a long series of prosperous years;’ thus saying he breathed his last. The banner of Hohenzollern was taken by a shepherd of Gersau. The services of the burghers of Bremgarten, who withdrew from the field covered with the blood of slaughtered foes, were so greatly prized by the Austrian princes, that they immortalized their valour by a change of the colours of their town livery.<sup>38</sup> Nicholas Gutt Avoyer of Zoffingen fell, together with twelve of his townsmen. Regardless of every concern but that of preventing his banner from falling into the hands of the enemy, he tore it into small pieces, and was found among the dead with the staff fast locked between his teeth. His successors in office have ever after been made to swear that they would maintain the banner ‘even as Nicholas Gutt had maintained it.’ Six hundred and fifty-six counts, lords and knights, whose presence was wont to grace the court of Austria, were found among the slain: and it became proverbial among the Confederates, ‘that God had on this day sat in judgment on the wanton arrogance of the nobles.’ After most of the chiefs on both sides had thus fallen, the ardour of the conquerors

<sup>38</sup> They were henceforth red and white.

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gave way to fatigue, and the extreme sultriness of the day. The few surviving nobles and Austrians were permitted to consult their love of life; and the Confederates meeting with the enemy's baggage, gratified their love of plunder.<sup>39</sup>

Thus ended this memorable day, in which Arnold de Winkelried, by devoting his life, saved his country from impending ruin. The enemy it is true were impeded by the weight of their armour, the unsuitness of their array, and their unskilfulness in the evolutions of a well trained infantry; and even their native prowess, better adapted to feats of knight-errantry than to the tactics of a disciplined army, was moreover relaxed by the sovereign contempt they entertained for the Swiss peasantry. The Confederates on the other hand were greatly favoured by their thorough knowledge of the advantageous positions of their country. They were inferior to others in manœuvres and manual exercise; but their mode of warfare was, like their souls, simple, grand and vigorous. With an infantry like that which fought at Morgarten, Laupen, and Sempach, and with a mind like that of Winkelried, miracles might

<sup>39</sup> Too hastily, as may be gathered from the subsequent compact of Sempach.

have been performed, even had it been required to storm the thundering batteries of their recent invaders. The Swiss have at all times had the means to keep a foreign host out of their country ; but those means of late had not co-operated, and were not duly directed.

Notice was immediately sent to Zurich, Berne, Zug, and Glaris, of the prosperous event which had saved the Confederacy. On the ensuing day, after a party of Austrians had been defeated near Sursee, the Swiss agreed to an armistice for the burying of the dead. Leopold, with sixty of the higher nobility, were conveyed to the abbey of Koenigsfelden, where the remains of the duke were deposited in the vault in which reposed the ashes of Queen Agnes, and others of his house. The lords of Argau were laid in the tombs of their ancestors: the remainder were buried in large pits dug on the field of battle. Two hundred of the Confederates received funeral obsequies at Lucern ; and here a perpetual service was ordained for the souls of all who had been slain in the battle, whether friends or enemies. The name of Winkelried has ever since been venerated by his countrymen. Men ought to be well apprized that a single instant may confer immortality, and that one decisive action of a hero makes all good men

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men fathers and brothers to his children, down to his latest posterity. The conquerors remained three days on the field of battle, and then returned to their homes with fifteen captured banners, celebrating in artless songs the glory of their arms.

Many nobles were still left, who resolved not to brook tamely so disgraceful an insult upon their order; and six days after the battle no less than fifty of them sent declarations of war to the victorious Confederates. Many of them came from distant parts: the Burgrave of Nuremberg was of the number; and the younger Leopold, son of the duke lately slain, and brother to the Dukes William, Frederick, and Ernest, was eager to avenge his father's death. These, during three subsequent months, continued a desultory war in various parts of Helvetia.

The burghers of Friburg in Uchtland, awed no doubt by the power of Berne, had withheld their succour, which, from their knowledge of the mode of warfare in this country, would have greatly availed the nobles. But soon after, impelled and aided by the Burgundian lords, they ventured on a sudden attack upon Berne, which however was easily repelled. About this time (and perhaps this was the real cause of the attempt of Friburg) the upper part of the valley  
on

on the river Sibnen placed itself under the protection of the Berners, and thereby greatly added to their influence in the Oberland.

Zuric and Lucern sent out parties, which met at Aristau on the Reuss; where, after having thrown twenty tax-gatherers from the battlements, they demolished its castle. Hence they proceeded without resistance down the river to Bremgarten and Mellingen; nor was the abbey of Muri, dependent on Hapsburg, secure against their attack. Good men saw with concern that religious awe was no longer a check upon the vindictive spirit and rapacity of warriors, who mutually despoiled sacred places with as little remorse as if their respective saints had been in open enmity. The church moreover was at this time undecided between Urban at Rome and Clement at Avignon;<sup>40</sup> and absolution for every offence was easily obtained, by having recourse to an indulgent confessor of the opposite party.

The Austrian town of Wesen in the Gaster had been long an object of jealousy to the people of Glaris, who knew themselves to be at all times exposed to sudden inroads from that quarter, since in winter the ice and snow would preclude the assistance of the forest cantons,

<sup>40</sup> Urban VI. and Clement VII. The latter is not numbered in the succession of popes.

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and in summer their men must be called forth to attend their cattle on the mountains: they hence called upon Zurich and the forest cantons to assist in the reduction of that important station, and this object was soon accomplished. Rafts covered with men came down the lake;<sup>41</sup> and the ditch, contiguous to which stood many wooden houses, was filled with combustibles. The burghers seeing themselves surrounded with dangers capitulated, and obtained the confirmation of all the privileges they had till then enjoyed, and perfect security for their persons and property. Instead of an Austrian bailiff they now received a mayor, named alternately every four months by Zurich, the forest cantons, and Glaris. The men of the Gaster and Sargans had scarce received the summons of Glaris when they accepted of its protection and limited supremacy.

1387. These successful expeditions, planned with circumspection and executed with vigour, having thus extended the influence of the Confederacy, the imperial cities found little difficulty in mediating an armistice of eighteen months. The Confederates however, owing to the treachery that was practised in the execution of it, ever after called it the 'wicked truce.' Their antipathy against the nobles and Aus-

<sup>41</sup> Since called the lake of Wallenstad.

trians became inveterate: not a word in favour of Austria could be tolerated; and had any one decorated his hat with a peacock's feather (the ornament usually worn by the duke) his life had been in danger. It is recorded that not a peacock was suffered to exist in Swisserland; and that a Swiss sitting one day at a tavern and seeing an iris formed in his wine glass by the refracted rays of the sun, which he thought bore some resemblance to the feathers of that bird, he drew his sword and with great imprecations dashed the glass to pieces. Such rooted prejudices will ever prevail among a people whose rivals shew marks of contempt and ridicule their manners, or when they betray a disposition to deceive them.

The short interval of tranquillity this truce afforded was employed in securing the strong places, and in preparing for fresh hostilities. The men of Glaris made regulations for the interior administration of their valley, being well aware that nothing contributes more to the prosperity of a country than a well-ordered government. The abbess of Seckingen was confirmed in all her rights and prerogatives; but no man of Glaris was suffered to accept the offices of cellarist or receiver to the abbey. They knew the influence of avarice, and that such an officer must ever be subservient to the pleasure

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pleasure of the Advocate. They established a Court of Appeal, consisting of fifteen natives, to be annually exchanged. Whoever declined the summons of this court was deemed contumacious and condemned. An appeal to foreign courts was strictly prohibited. They made laws of inheritance, in which the male line had the preference. Five livres was the fine imposed for calling another a murderer, a heretic, a thief, or a rascal. Pledges might be taken for a loan, but they were not to exceed one third of its value. Provisions were likewise made for domestic tranquillity: whoever detained any one who was hastening to quell a disturbance was fined ten livres.

1388.

Early in the ensuing year a conspiracy was formed to reinstate the Austrians at Wesen. No one in fact sees with indifference his equals placed in authority over him; and burghers and husbandmen, when they obtain authority over strangers, are ever gratified in exerting it with rigour, especially if it be combined with profit. Many at Wesen, firmly attached to the Austrian government, corresponded with Arnold Bruch bailiff of Windeck, and John Count of Werdenberg, at Sargans. Austrian soldiers were gradually introduced into the town, variously disguised, many in casks, and concealed in the houses and cellars. The magistrates observ-  
ing

ing various suspicious movements sent to Glaris to demand assistance, and five days after received a supply of fifty men. On the night of the twenty-fourth of February came down the lake Count John and his retainers, who landed at Utis; and parties from Rapperswyl, Kyburg, Tockenbourg, and the Gaster. These all joined before Wesen, six thousand in number. On a preconcerted signal, torches were immediately lighted in the town, the concealed soldiers came forth from their retreats, both bridges were broken down, and the gates were opened. Conrad Au of Uri the mayor, Henry Tschudi the banneret, and above thirty soldiers were killed, and Wesen was again possessed by Austria. Two-and-twenty men sprung from the walls and fled across the lake: at break of day they met reinforcements that were coming from Glaris. These hearing of the disastrous event, returned to the intrenchments on their frontier much disconcerted, and dubious of the fate they themselves had now to expect. One thousand of them remained three weeks under arms at the entrance of their valley. They resisted many repeated attacks, heard daily of the fresh troops that joined the enemy, and had no foreign aid except two men of Uri, late servants of Conrad Au.

Reduced by incessant fatigue and alarms,

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they now applied for an equitable peace ; and their deputies, after having experienced much contumely, especially from Peter de Thorberg, received the following proposal.—‘ All you who  
‘ hold feudal tenures under the duke must yield  
‘ unconditional obedience to your sovereign lord  
‘ as predial slaves, and when required must take  
‘ the field against all his enemies, especially the  
‘ Swiss : you must renounce your league with  
‘ the Confederates, and make no alliance what-  
‘ ever without the duke’s previous consent :  
‘ you must pay all arrears of contributions : you  
‘ shall have no law but the will of the duke, and  
‘ shall deliver up to him all the documents of  
‘ your pretended liberties : you shall indemnify  
‘ Wesen for all the damages it has sustained on  
‘ your account, and expiate your stubborn dis-  
‘ obedience, until the duke shall please in his  
‘ mercy to admit of your atonement. To this  
‘ you shall bind yourselves by solemn oaths,  
‘ and by the delivery of hostages.’ The com-  
munity of Glaris took little time in framing the  
following answer. ‘ We acknowledge that the  
‘ Lady Abbess of Seckingen is our sovereign,  
‘ and that an Austrian prince is her advocate  
‘ for our valley. We will duly discharge the  
‘ arrears of contributions, and whatever sum  
‘ Count John of Werdenberg shall name for the  
‘ damages we have occasioned at Wesen : but  
‘ we

‘ we earnestly request that we may continue in  
‘ the just and inoffensive league we have entered  
‘ into with the Swiss ; and that we may retain  
‘ the privileges that have been handed down to  
‘ us from time immemorial.’ The Austrian  
ministers received this answer with disdain, and  
added public insult to their abrupt refusal. The  
men of Glaris now perceived that this was one  
of those critical moments in which a people, if  
it is to subsist, must give decisive proofs of its  
energy and unshaken resolution.

The Austrian forces assembled in great numbers<sup>42</sup> before the passes into the mountains were practicable. Count John of Werdenberg commanded them ; and under him Count Donatus of Tockenbourg, Peter de Thorberg, and John de Bonstetten, led the bands from Thurgau and Argau ; and John de Klingenberg those from Shaffhausen and the Black Forest : Ulric Baron de Sax bore the Austrian banner. On the eighth of April towards evening, intelligence was brought to Matthias Buel the captain of Glaris, who with two hundred men was guarding the lines near Næfels, that an attack was speedily intended. This notice having been rapidly divulged all over the country, the women and children, with their cattle and

<sup>42</sup> They are reported to have been about six thousand.

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moveables, withdrew up the valley towards the mountains, and messengers were sent to the forest cantons to summon their aid. Schwitz, without waiting for the resolves of an assembly, sent over thirty men the foremost in speed and ardour, and in the night dispatched twenty more. From Zurich all communication was cut off by the Austrians.

Battle of  
Näfels.

On Thursday the ninth of April, at four in the morning, the enemy drew near the intrenchments. Klingenberg, Thorberg, Bonstetten, and Sax, approached in front; whilst Werdenberg, with more caution perhaps than enterprize,<sup>43</sup> came with fifteen hundred men over mount Kerenzen, on the left extremity of the line, with a view it should seem to assail the rear. Matthias Buel caused the whole country to be alarmed. The men of Mollis joined him first: then those of Glaris, under Albert Vogel their landamman. Buel, after an obstinate resistance at the lines, fell back, and thus afforded time to the people to collect from the most distant parts. The Austrians having forced the intrenchments, hastened with impetuous fury into the valley. Buel now placed the five hundred men he had collected in front of mount Ruti, where with great hazard Henry Buel fixed the banner.

<sup>43</sup> He appears to have been willing to see the event of the day before he committed himself.

The Austrians despising their weak numbers betook themselves to plunder, and burnt the town of Næfels. Having reached Netstall, their cavalry fell upon the men of Glaris on a spot very unfavourable to the horses, and where, great stones being moreover hurled among them, they were soon thrown into confusion. Buel hereupon having received all the reinforcements he had reason to expect, ventured an attack. The men of Glaris are peculiarly dexterous and active: they instantly inflicted many wounds, dismounted many horsemen, and greatly harassed the whole of the enemy's line. At this critical moment a sudden shout announced the approach of a considerable band from the Upper Valley. The mountains re-echoed the welcome sounds; and these, together with the disorder which already prevailed among the invaders, which was now increased by the redoubled ardour of the assailants, the unruliness of their own horses, and even the view of the towering Alps, which alone seemed to menace destruction, all contributed to spread terror among the Austrians, and added many imaginary to the real perils they were encountering.

At the hour of nine, as if terrified by the ghost of Walter de Stadion, who thirty-seven years before had met his doom in this very pass,  
and

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and from the hands of the same enemy, the Austrians were all seized with a sudden panic, and fled in all directions. They fell upon each other in accumulated heaps, promiscuously with their horses; and many found a watery grave in the river Lint. Three Landenbergs fell near each other in a garden; thirty burghers of Rapperswyl with their bailiff in an orchard; and forty of the Thurgauers on the banks of the Lint. Eighty men from Winterthur, four hundred from Tockenbourg, and forty-two from Wesen, lay on the field of battle; and among them were found Ulric de Waldkirch, with fifty-three of the first nobility of Shaffhausen. Neither Bonstetten nor the Baron de Sax survived this day of horror. The Austrian banner borne by the latter, and those of Thorberg, Tockenbourg, and Montford, were taken. The conquerors pursued the enemy with triumphant shouts to the bridge of Wesen: the bridge fell in, and with it a considerable number of the fugitive knights, clad in heavy armour, sunk into the lake. Many fell under the halberds of the pursuers. One hundred and eighty-three nobles and knights, and more than two thousand five hundred men, are reported to have perished on this day. Eleven banners and one thousand eight hundred sets of armour have long remained the trophies of the victory.

Count

Count John of Werdenberg, either cautioned by his wary circumspection, or awed by fear, returned hastily over mount Kerenzen; and the whole valley was cleared before the next dawn of day. The victors offered up their thanks to God, the blessed Virgin, St. Fridolin and St. Hilary their tutelary saints, and passed the night on the field of battle. Next morning they advanced to Wesen, which they found deserted by all its inhabitants: they sacked and burnt it,<sup>44</sup> and thus avenged the treachery which a few weeks before had proved fatal to many of their countrymen.

Among the bodies of the slain, which had been gathered in great pits near the intrenchment, five hundred and seventy-nine were twenty months after dug up at the request of their relations, and deposited in consecrated ground near the abbey of Ruti. The community of Glaris upon this ordained, that every first Thursday in the month of April the head of every family capable of enduring the fatigue should repair to Næfels, and walk over every spot, path and stile on which their ancestors had on this day encountered so much toil and danger, and been so manifestly protected by the Almighty. The people attended on this occasion, and visited with the aged fathers the spots

<sup>44</sup> It is uncertain whether this fire was accidental or intentional.

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of the eleven attacks made on that day; and at the sixth station heard the narratives of the battle of Sempach, of the events in the Gaster previous to this war, and of their own signal victory; after which the names were commemorated of fifty-one of their countrymen, two Schwitzers, the two servants of Conrad Au, and lastly of Matthias Buel, who all on this day had bled in their country's cause. Schwitz sent two deputies to this procession. After the ceremony, and the celebration of mass for the repose of the souls of those who perished in the conflict, the people betook themselves to jovial festivity, and returned to their homes chanting the exploits to which they owed their freedom.

Siege of  
Rappers-  
wyl.

On the second day after this battle, seven hundred men marched up from Zurich to the assistance of Glaris; but hearing that their aid was become superfluous, they resolved to attempt the siege of Rapperswyl, which, having been strongly fortified by Archduke Rudolph, had afterwards been garrisoned by seven hundred Lombard and Genoese soldiers, whom Duke Leopold, who fell at Sempach, had obtained from the Duke of Milan.<sup>45</sup> Peter de Thorberg, the inveterate enemy of the Confederacy, commanded this force. The troops from Zurich, after having received considerable

<sup>45</sup> Barnabas Visconti, whose daughter Leopold had married.

reinforcements,

reinforcements, and been supplied with the necessary implements, made a first attack on the twelfth of April, in which one of their men was killed by a leaden bullet. The day after this vain attempt they were joined by a victorious band from Glaris, and numbers of auxiliaries from the forest cantons, Zug, and even from Berne. Soleure, though allied only to Berne, sent sixty spearmen. Repeated assaults were made during three weeks with fire arms and various battering engines, and fire-ships were occasionally approached to the wooden houses that skirted the lake; but the resistance was so vigorous and obstinate (the inhabitants, no doubt recollecting the hardships they had endured under Rudolph Brun, being foremost, without distinction of age or sex, in the defence of their shattered walls) that the besiegers, finding all partial attacks ineffectual, resolved on a joint and decisive effort. They prepared a general storm, partly from boats on the lake, but chiefly on the side of the camp under cover of a gallery. Thorberg, who had more than once witnessed the intrepidity of the men he had to contend with, advised a surrender, but the burghers strenuously opposed him. Attacks were made on all sides and with impetuous ardour, and were sustained with equal firmness and resolution. Sixty of the assailants forced their way into a cellar; but instead of availing

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availing themselves of the advantage, they quaffed the wine they found, and distributed it largely to their comrades: being by this means discovered, they were soon compelled, by fire-brands and boiling water poured on them by the women, to relinquish their station. Meanwhile large stones having been hurled down from the walls on the gallery, and the scaling ladders having been dashed in pieces, the besiegers at the hour of vespers, after incessant toil during nine arduous hours, abandoned the enterprize and retired to their camp. On the next day they set fire to their tents and withdrew, leaving behind them many ladders, battering rams, and other warlike implements. The Swiss, like most free nations in a strong country, have ever been more successful in defensive wars, and in the open field, than when they were aggressors, and attempted the reduction of fortified places. This luckless enterprize may in some measure be ascribed to a pernicious spirit of conquest, the example of Berne had at this time excited in many of the Confederates; a spirit often disclaimed by them in their hours of sober recollection, but which has nevertheless prevailed far more than was consistent with the true interests of this people, ever invulnerable as long as it inflexibly adhered to its genuine fundamental principles.

Three days after the battle of Næfels the Berners,

ners, with some of their allies of Soleure, advanced to Buren, a town which as well as Nidau, although its revenues had been assigned to the Lord of Coucy in lieu of his mother's marriage portion, was still occupied by Austrian garrisons. The dukes neglecting to pay their soldiers, drove them to the necessity of providing for their subsistence by pillage; and thus, besides the open war that was now raging, afforded an additional pretence for this attempt. Whilst a council of Berners was deliberating concerning the best mode of conducting this enterprize, some of their men rode up to the walls, and by means of burning arrows and balls of tar and brimstone, succeeded to set the town on fire. The wind was high and the flames spread rapidly, and an assault being made at the same time, the garrison and inhabitants surrendered at discretion: those who escaped the fire and sword were made prisoners.

Five and twenty days after this success, a party of Berners advanced with some of their co-burghers of Soleure against Nidau. The garrison seeing no prospect of relief surrendered unconditionally. Two ecclesiastics, the bishop of Lisbon and the Prior of Alcaçova, whom the marauders from Nidau had stripped and detained, were found in the tower of the castle under a heap of tattered garments. Berne gave them hospitable entertainment, supplied them with apparel,

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Berne takes  
Buren, Nidau, &c.

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apparel, horses and money, and dismissed them with ample provision for their journey. For these benefits the two prelates, having reached their homes, sent to Berne, besides the full value of the articles they had received, the sum of one thousand ducats towards the expences of this war. The town of Neuville, on the opposite side of the lake of Bienne, now also, with the consent of the Bishop of Basle, and with reservation of all its previous rights, was admitted to an union with Berne. A banner of this prosperous city soon after advanced up the Uchtland, and along the lake of Thun, to the narrow plain which separates this lake from that of Brienz. Unterseen a small wooden town on the Aar, which here rapidly descends from the upper to the lower lake, and near it on a high eminence the castle of Uspunen, were once the inheritance of the house of Eschenbach, and at the downfall of that venerable race had been seized by Austria. The Berners added both to their increasing territories. Another party descended the Aar as far as Bruck, and thence crossed the Botzberg into the valley of Frick on the Rhine: there they took possession of the noted church-yard of the village of Frick, which being deemed a post of uncommon strength, had been made the deposit of all the valuable effects of the people in the valley.

These

These the Berners seized, and thus loaded with spoils returned joyous to their respective homes. CHAP.  
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The Dukes Albert, William, Frederick, Leopold and Ernest, the first a brother, and the four others sons of Duke Leopold who had been slain at Sempach, seeing the fatal issue of that disastrous day; the loss of Wesen, Buren, Nidau, and other towns of no trivial import; the confusion that prevailed in Thurgau; and the danger to which the Argau was exposed: aware also that their treasures were exhausted, their armies weakened and discouraged, and their nobles reduced in number, wealth and preponderancy: being moreover at war with Poland, and doubtful of the intentions of Bavaria, they gladly acceded to a seven years truce with all the Confederate states, including Soleure the ally of Berne. This treaty was negotiated at Zurich by Lewis Count of Thierstein Abbot of Einsidlen, and Burcard Wyss Abbot of Wettingen, and finally concluded at the mediation of Basle, Constance, and four imperial towns in Suabia. Peace.  
1389.

‘ All districts, burghs and castles,’ it was here stipulated, ‘ which during the war have freely joined or surrendered to, or been forcibly subdued by the arms of the Confederates, shall be confirmed to them during the continuance of this armistice, the town of Wesen excepted, which shall be restored to Austria, on condition  
‘ that

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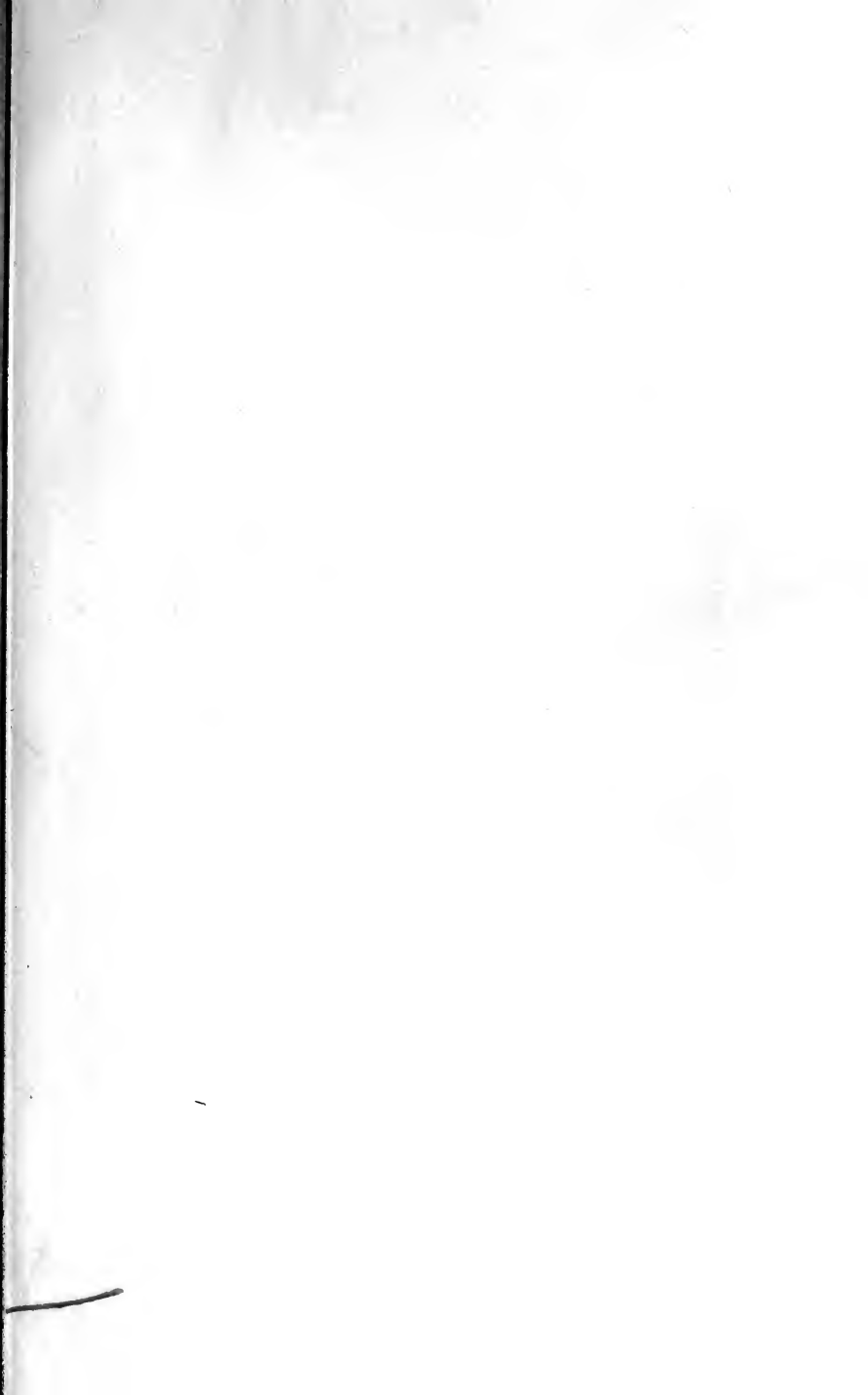
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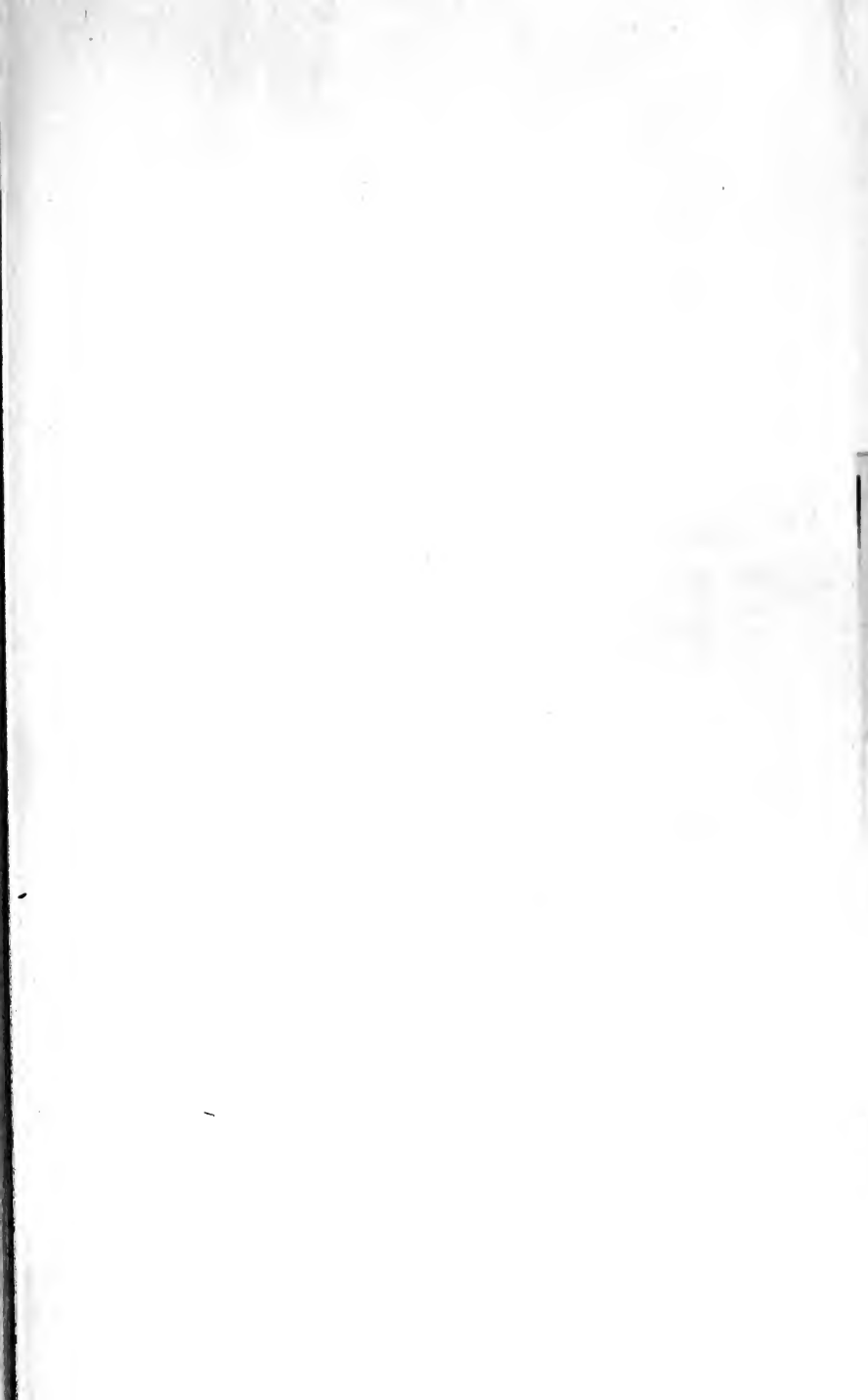
‘ that during the same interval none of the former inhabitants who had conspired against the Confederates should be suffered to remain within its precinct: Lucern shall have the right of naming a water bailiff over the lake of Sempach: there shall be a free intercourse throughout Helvetia; nor shall any fresh tolls or imposts be exacted: the Confederates engage not to admit any subjects of Austria, not residing within their boundaries, into their union: all differences that may arise shall be amicably adjusted in the monasteries of Var or St. Urban, by umpires to be chosen by the plaintiffs from among the opposite party.’

Thus did the Confederates terminate this formidable war, into which their rulers entered with reluctance, but the people with confidence and alacrity; and from which great territorial acquisitions accrued to Berne, and to the whole nation the immortal fame of heroic virtue. Seven of the cantons accepted the treaty with ready acquiescence: to Berne it appeared still premature.

END OF VOL. I.









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Author **Planta, Joseph**

Title **History of the Helvetic Confederacy. Vol.1**

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